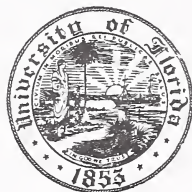



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THE ALABAMA HISTORICAL QUARTERLY



Vol. XXXIII

I N D E X

1971

—A—

Abney, Lt. Joe,	258, 260, 261
Adams, S. G. B.	65, 70
"Agrarian Distress in the Seventies: The Mulberry Agricultural Club Versus Governor David P. Lewis",	169-76
<i>A Guide to Spanish Louisiana, 1762-1806</i>	156
Alabama and Florida Railroad	15
Alabama Infantry Regiments (CSA)	
22nd	244
42nd	261
54th	250-51, 261

"Alabama's Forgotten Settlers: Notes on the Spanish Mobile District, 1780-1813"	87-97
Alamo	198-199
Allen, Capt. Henry	70
Alli Swamp	148
Allison, A. K.	32
Andrews, J. Cutler	76
Anglin's bridge	55
Apalachicola River	98
Atlanta	255
Atlanta campaign	255
Attaway, E. M.	49
Attaway's store	49
Austell, John	70
Austin	193, 194, 201

—B—

Baartley, Numan V.	77
Baker, Col. Alpheus	241, 251, 254, 261
Baker's Brigade	257, 260, 261
Baker, John (Jean)	92
Baker, Mosly	48
Baldwin, Joseph G.	210-212
Ball, Hartwell	58
Baptist Associations (Henry Co.)	50
Baptist Church	49
Barbe-Marbois, Francois	110
Barbour County	
Circuit Court	40, 41
Cotton gin	45
Indian troubles	44, 45
Land sales	64, 65
Battle flag, 54th Ala. Regt.	263
Battle, Hobdy's Bridge	51-58, 62
Battle House	192
Battle, Martin's Field	63
Bausage, Eufrosine P.	96
Bear-Creek	142, 144, 148, 150
Beauchamp, _____	69

Beauchamp, Green	37, 38, 39, 40, 42, 46
Beauchamp, Littleton	37
Beauchamp, William	41
Beauchamps' mill	55
Bellechasse, Josef Deville Degoutin	90
"Bench and Bar"	213
"Benjamin Hawkins' Trip From New York to Coweta Tallahassee, 1798"	218
Bennett, Jim	45
Bennett, Ryan	42, 43
Bielby, C. F. A.	32
Big-Black Creek	149
Biloxi	98
Billy Bowlegs	55
Bishop, Wesley	67
Bizzell, Henry	41
Black and Tan Republicans	120
Blackman	221
Black's Mill	54
Black-Warrior River	146
Blackwell, Samuel	33
Blair, Thomas	97
Bolton, Lucy	204
Bonaparte, Napoleon	99, 102, 108, 109
photograph	100
Book reviews	74-79, 153-160, 264-269
Bradly, _____	58
Bragg, Gen. Braxton	248-49
Brannon, Peter A.	37
Brenham	192
Brewton <i>Standard Gauge</i>	31
Broken Arrow Creek	226
Browder, Isham	61
Browder, Milton	61
Bryant, Farris	34
Buford, Capt. Jeff.	41, 56, 57
Burlison, Aaron	41
Bush, David A.	62
Bush, Capt. M. E.	62

Bush, William	45
Butler, R. W.	40
Byrns, Gerald	96

—C—

Cadenhead, Ivy	41
Caffey, Francis G.	34
Call, Richard Keith	12
Canton, Miss.	253
Carondelet, Baron de	105
Carpenter, John	260
Carriere, Francisco	93
Cavenaugh, Thomas	40
Chambers, Pius	39
Chaney, Ana (Anne) Suzana	91
Chaney, Baley	88, 91
Chaney, Guillermo (William)	91
Chaney, Radulfus	91
Chaney, Sarah	91
Chaney, William (Guillermo)	91
Chastang, Goton	97
Chastang, Jabota,	97
Chastang, John	93, 97
Cherokee Nation	149
Chewacla	224
Chickasaw Indians	137, 146, 149
Chickasaw trail	137, 142
Chitteeocknee	39, 40, 46
Chofy hajo	39
Circuit Court (Henry Co.)	38
Clark, H. W.	32
Clarkson, Paul S.	160
Clayton	42, 43, 66, 70
Cobb, R. W.	29
Colbert, Levi	151
Colbert's Ferry	148, 151
Cole, Elisha	254
Columbia	59, 60
see Old Columbia	

Confederate arms	241
Cōoper, Col. Jack	52, 53, 55
Corinth, Miss.	244
Cortner, Richard C.	157
Cory, T. D.	172, 176
Cotton—Gin Bluff	150, 151, 227
Cotton Gin Port	137, 148, 149, 227, 229
County Line Creek	221
Cow-e-tuh-tal-has-see	221
Cowles, Eva	194
Cox, Ned	39
Crawford	225
Creek Indians	50, 51
Creek War of 1836	51-55, 63, 64
Crenshaw, Anderson	40
Crockett, David	198-199
Crowder, —————	45
Crowell, Henry	74
Crowell, John	46
Current, Richard N.	79

—D—

Danner, John	45
Dansby, Daniel M.	40
David, John F.	40
Davis, Pres. Jefferson	256
Davis, Joe	39
Davis, Occhee Bill	57
Dearborn, Henry	137
Dennis, B. F.	58
Dent, Stanley H.	177-189
Desotoville	240
Dickinson, John	112
Dinsmore, Silas	239
Drew, George F.	32
Dubroca, Benjamin	97
Dubuisson, Francisco	93
Dudleyville	220, 221
Duelling	45

Dunbar, William	96
Dunken Creek	224
Dunn, Peter	93
Dupree, David	92
Dupree, Sarah (Chaney)	92
Durham, Capt. William	66, 67
Durnford, Elias	87
Dyke, Charles E.	19, 21, 23

—E—

Eagle Creek	220
"Early Chronicles of Barbour County"	37-74
<i>Editors Make War, Southern Newspapers in the Secession Crisis</i>	74
"Edmund Pendleton Gaines Description of the Upper Tombigbee River, January, 1880"	227-241
Edmunds, Carter	190-209
Elder Church	220
Election, 1894	131, 132
Ellicott, Andrew	97
Enotichopka	55, 56
Eufaula	43, 44, 46, 58, 62
Eufaula <i>Times</i>	37
Eufaula <i>Weekly Times and News</i>	31
Eufuauahatchee	222
Eustis, William	137
de Ezpeleta, Joseph	88

—F—

Fannin, _____	45
<i>Fanny</i> (steamboat)	45
Faukababa	43
Faulk, Henry, Jr.	40
Favrot, Pedro	89, 92
Federal Road	66
Fenn, Matthew	43, 66
Ferrell, Dick	254
First settlement (Barbour Co.)	64
Fitzpatrick, Benjamin	39

Flag, 54th Ala. Regt.	263
Flinn, Jim	259
Flint-Creek	142
Flourney	226
Flournoy, Josiah	64
Flournoy, S. J.	64
Flournoy, Thos.	64
<i>Flush Times in Alabama</i>	210
Folch, Vizente	107
Fontaine, Edward	194
Fontanilla, Francisco	93
Fort Jackson, Treaty of	50
Fort Mitchell	44, 66, 67, 72
Fort Nogales	95
Fort Pillow	241
Fort San Esteban de Tombeche	90
Fort Stoddart	90, 135
Franco-Spanish War of 1719-1722	87
Franklin, Tenn., battle of	256, 257
<i>From Thurmond to Wallace; Political Tendencies in</i> <i>Georgia, 1948-1968</i>	77
Franklin	40, 66
Fulson, Ebenezer	95

—G—

Gaines, Edmund Pendleton	135
medal	136
Gaines, George Strother	90, 135, 137, 227
Gainesville	210
Galveston	192
de Galvez, Bernardo	87
Gaskins, John L.	32
Gillerland, Black	196
Gillis, Calvin	29
Godfrey, Marie H.	38
Goldthwaite, George	41
Goodloe, J. C.	29
Goodwyn, Albert Taylor	119, 121, 132, 133
Gordon	60

Gordy, J. A.	25
Green, C. C.	42
Green Corn Dance	46-48
Green, Peleg	43
Griffin, Jones	240
Griffin Mill	225
"Griffin Rifles"	240
Griffith, Lucille	153, 264

—H—

Hadaway, Claude Lee	240
Hadaway, Deborah Lee	240
Hadaway, W. C.	254
Halawakee Creek	223
Hamilton, Alexander	104
Hamilton, Andrew Jackson	205
Hannon, Barton	96
Haralson, Jere	30
Hardridge, William	39
Harley, Rev. Joseph	42, 49
Harper, Dr. Hubert	87
Harrison, Jr., Joseph M.	163
Hart, Ossian B.	28
Hawkins, Benjamin	218-26
Head, William	40
Henry County	37
Attorneys at law	48
Camp Meetings	50
Circuit Court	38
Ministers of the gospel	49, 50
Physicians	49
Religion	61, 62
Heron, Dr. E. M.	63
Hobdy, Harrel	40, 52, 53, 56, 63
Hobdy's Bridge	56
Holmes, Jack D. L.	87
Hood, Gen. John B.	256
Hopewell	225, 255
Hospilika Creek	225

Houstoun, Edward	23
Howard, Charles M.	169, 172
Howard, Leonidas	172, 176
Howard's Landing	59
Hubbard, S. B.	32
Hunter Creek	221
Hunter, Dr. George	96
Hyer, W. K.	32

—I—

Indians	46, 50, 51, 69
Customs	46-48, 68, 69
Houses	68
Troubles	44, 45, 51-54, 63, 64
"Interpreter of the Indians at Natchez"	95
<i>Iron Afloat</i>	268
Irvin, Robert	39
Irwinton	62, 69
Island No. 10	242, 244
Itawamba	151

—J—

Jacks Creek	225
Jackson, Gen. Andrew	42, 43, 50, 72
Jacksonville <i>Times-Union</i>	31
Jacksonville <i>Tri-Weekly Union</i>	29
Jefferson	223
Jefferson, Thomas	99-115
Jeffersonian Democracy	117, 121
Jelk, William D.	33, 122, 178
Jemison, Robert Seaborn	190-209
Jemison, Shadrack Mims	190
Jett, R. Samuel	160
Johnson, Daniel	90
Johnson, Starling	40
Johnston, Gen. Joseph E.	125, 255, 256, 257, 262
Johnston, Martin	44
Jones, Aerial	41
Jones, Richard C.	33

Jones, Sarah	91
Jones, Seaborn	41
Jones, Gov. Thomas Goode	122, 123
“Joseph G. Baldwin’s ‘Stocking A Laugh’ — A Hitherto Uncollected ‘Flush Times’ Sketch”	210
“Journey to Texas, 1854: The Diary of Robert Seaborn Jemison of Talladega”	190-209

—K—

Kemball, Jeremiah	49
Kennon, Caroline	38
Killer’s Creek	139
King, Rufus	101
King’s Mill	57
Kirby, Ephraim	114
Kolb, Reuben F.	121, 122, 123, 124, 133, 178
Korn, Bertram Wallace	78
Krebs, Augustin	94
Krebs, Francis	94
Krebs, Sr., Hugo	94
Krebs, Hugo Ernestus	93
Krebs, Joseph	94, 95
Krebs, Mary Josephine (Juana)	94

—L—

La Bahia Trail	193
Labor troubles	122
Ladonia	225
La Lancette	93
LaMan, O. C. G.	172, 176
Lamport, Father Michael	91, 95
Lane, Ann J.	265
Laurel-Branch	144
Lawler, Levi W.	20
Leclerc, Charles	102, 109
Lee, Gen. R. E.	256, 262
Lee, Stephen	40
LeFlau, Luisa	94
LeFlau, Maria	94

LeGranc, Duard	87
de Lemos, Manuel Gayoso	95
"Le Quesnay"	91
<i>Letters From Alabama, 1817-1822</i>	264
Lewis, Benjamin	60
Lewis, Daniel	66
Lewis, David P. 27, 28, 29, 30, 170, 174	
Lewis, John	66, 150
Lewis, Kendall	66
Lewis, Miguel Nathaniel	95
Lewis, Samuel	95
Lewis, Sarah White	95
Lewis, William	95
Lewis' Stand	66
Lick-fork	140
Linder, Elizabeth	90
Linder, Jr., John	89
Linder, Sr., John	88, 89
Lindsey, Lt. Henry T.	242
Littlefield, Milton S.	23
Little Sandy Creek	222
Little Uchee Creek	224, 225
Livingston	210
Livingston, Robert R. 103, 105, 106, 108, 111, 112	
Lockheart	195, 196, 200
Logarthy, Capt. John	59
Longshore, A. P.	121
Loring, Gen. William	251
Louisbourg	93
Louisiana	98-115
Louisville	40, 41, 55
Lucas's Store	72
Lunecisto	147, 148, 149, 150
Lustahatchee Creek	222
<i>Luther Martin of Maryland</i>	160

—Mc—

McCulloh	66
McCurtin, Cornelius	88, 96

McDaniel, Angus	48, 49
McDermott, John Francis	87
McFarland, Daniel	242
McGillivray, Alexander	88
McInnis, John	41
McInnis, Miles	40
McIntosh, Chiley	66
McIntosh, Gen. William	66
McKee, Robert	118
McLane, Daniel	41
McRae, D. W. R.	48
McRae, Duncan	40, 41
McQuaid, P.	32

—M—

Madison, James	106, 108, 113
Mallory, Stephen R.	32
Man Shac Springs	195
Mann, Cooly	62
Manning, Joseph Columbus	117, 118
Martin, William L.	33
Mathews, A. B.	39
Mathews, Stephen	48, 49
Mathis, Thos	63
Melton, —————	138-39
Meadows Cross Roads	225
Metcalf, Neil	34
Methodist Church (Henry Co.)	42, 49
Methodist Preachers (Henry Co.)	61
Midway	54, 63, 66
Miller, Charles A.	16, 18, 19, 21
Minter, Col. John A.	254, 261
Mobile	98, 135, 191, 192, 210
Mobile Bay	7
Mobile <i>Register</i>	26
Monroe, Haskell	273
Monroe, James	109, 110, 111, 112, 113
Monticello	57
Montgomery	49, 191

Montgomery <i>Daily Advertiser</i>	20, 25, 31
Montgomery <i>Journal</i>	14
Montgomery <i>Weekly Mail</i>	21
Moore's Creek	220
Moragne, Dr. N. C.	18
Morales, Don Juan Ventura	99, 101
Morgan, Charles	192
Morgan, John G.	39
Morgan, John T.	128
Morgan's store	48
Motes, Cary	41
Mount Andrew	66
Mount Meigs	72
Mulberry Agricultural Club	169-76
Murphy, Governor John	11
Muscle Shoals	137, 143, 149

—N—

Nall, —————	39
Napier, III, John Hawkins	98
de Narbonne, Antonio	94
Natchez Trace	149
Neal, Rev. W. B.	61
Negro vote, 1894	128
de Nemours, Pierre Dupont	103
New Hope Church, Battle of	255
New Madrid	241
New Orleans	103, 110, 192
New York (Indian town)	219, 221
New Yorka, Niuyaka, New Yaucaw, New Yauger, Nuyaka, Iew Youka, Nuoqauco, New Quacau	
Nolan, Terence Hunt	117

—O—

Oak Bowery	222
Oakeeknee	46
Oakfuskee	219, 220
Oakfuskee Trail	220
Oaknoxaby	239

Oates, William Calvin	124, 131, 178
Oktahasasi	221
Old Columbia	49
"Old Federal Road"	72, 73
Oliver, Sam'l E.	39
Onushajo	40, 46
Opelika	223
Owen, Thomas M.	37, 38
Owens, Whitman	39

—P—

Parker, Rufus	243
Parsons, Lewis E.	29
<i>Partners in Rebellion: Alabama Women in the Civil War</i>	153
Pasco, Senator Samuel	32
Patterson, Jared	39
Patterson, Walter	63
Peace of Paris, 1763	98
Peach Tree Creek	255
Pennington, Senator J. L.	15, 16, 18, 21, 24, 26
Pensacola	7, 11
Pensacola and Mobile Railroad	23
Perry, Edward A.	30
Perry, Horatio G.	41
Peters Creek	224
Peters, Thomas M.	20
Phelps Creek	224
Pierce, Charles W.	155
Pigeon-Roost	149
Pike Co.	56
Pinckney Treaty	98, 99
Pinhottee	220, 221
<i>Pioneer Life in Southeast Florida</i>	155
Pitts, _____	132
Populism	117-134
Populist Party, platform, 1894	119-120
Potter, Hiram	30
Porter, Capt. S.	66
Pratt City mines	122

Prospect Bluff	40, 46
Pugh, Frank	70
Pugh, James L.	40
Pugh, Thomas	40, 41
Purifoy, John	43
Purman, William J.	19, 24, 28, 29
Pynes, Daniel	59
Pynes, James	59

—Q—

Quintard, Charles Todd	138
------------------------------	-----

—R—

Rachleff, Marshall	268
Randolph, Ryland	20, 26
Rea, Robert R.	79
Reagan, Hugh D.	190
Reams, Tobias	93
Reconstruction	169
Reed, Harrison	17, 22, 24, 26, 32
Reed, Jo	45
Reel Foot Lake	243
Remson, David Hamilton	190-209
Reynolds, Donald E.	74
Riverboats	59, 60, 68
Roanoke	62
Robertson, John R.	61
Robinson, Allen V.	43
Robinson Creek	223
Robinson, Thomas	42, 50
Rochon, Agustin	97
Rogers, William Warren	169
Ross, _____	93
Royall, Anne Newport	264

—S—

Saffold, Reuben	38
St. Augustine	10, 12

St. Domingue	102, 104
St. Stephens	48, 90, 135
Salem	224
San Antonio	197, ff
Sanford, H. C.	25
Sandy Creek	220, 221
San Esteban de Tombecbe, Fort	48, 90
San Ildefonso, Treaty of	99, 111
San Lorenzo, Treaty of	96
Sargent, Dr. George	49
Sayre, A. D.	126
Sayre Election Law	125, 126, 127, 132
Schaumburgh, Bartholomew	90
Scott, Dr. Robert	49
<i>Sections and Politics: Selected Essays by William B.</i>	
Hesseltine	79
Sellars, Benjamin D.	41
Selma Sentinel	14
Seminole War, 1817	50
1837	55
Sevenmile Creek	225
Shackleford, Lt. Col. I. H.	261
Sharp, Dr. Thomas	49
Shiloh	244
Shingleton, Royce	240
Shofner, Jerrel H.	3, 5, 156
Sibley, I. D.	25
Simms, Jr., L. Moody	210
Sipsey River	146, 149
Skaggs, William H.	117, 34
photograph	116
Slade, Rev. John	50
Smith, James H.	48
Smith, Levi B.	39
Smith, O. B.	32
Smith, Simon	60
Smith, Thos. T.	49
Smith, W. H.	18, 24, 26
Sougahatchee Creek	222, 223

<i>Southern Literary Messenger</i>	211
Sovereign, J. R.	123
Sparta	40
Sparta Land Office	65
"Stanley Hubert Dent and American Military Policy, 1916-1920"	177-189
Steamboats	45, 59, 60, 68
Steamer Oregon	192
Stearns, Marcellus L.	29
Sterkx, H. E.	153
Stevens, William J.	120
Still, William N.	268
"Stocking a Laugh"	213
Stone, James H.	135, 227
Street, O. D.	131
Sturkie Creek	224
"Surveying the Gaines Trace, 1870-1808"	135-152, 227
Swepson, George W.	23
Sutlive, _____	39

—T—

Talladega	117, 191
Talladega Watchtower	20
Talladegans, settled in Texas	196
Tallahassee	10
Tallahassee <i>Sentinel</i>	22
Tallapoosa River	220
de Talleyrand, Charles Maurice	109, 111, 112
"Talleyrand of Alabama"	88
Taubeneck, H. E.	131
Teal, Robert	40
<i>The Apportionment Cases</i>	157
"The Bench and Bar Stocking A Laugh"	213
"The Chimerical Scheme of Ceding West Florida"	5-26
<i>The Confederate State of Richmond. A Biography of the Capital</i>	270
<i>The Debate Over Slavery: Stanley Elkins and his critics</i>	265
<i>The Early Jews of New Orleans</i>	78
<i>The Flush Times of Alabama and Mississippi</i>	211

"The Gulf Coast: Key to Jeffersonian Empire"	98-115
Thomas, Emory M.	270
Thompson, Frank	194
Tilghman, Gen. Lloyd	250, 253
Tombigby River	148, 149, 150, 227, 239
settlements	135
Tonyn, Patrick	89
Town-Creek	140, 149, 151
Towns, Gov. George Washington	39
Treaty of Fort Jackson	50
Treaty of San Ildefonso	99, 111
Treaty of San Lorenzo	96
Treaty, Pinckney	98, 99
Triggs, Rev. John J.	50
Turner, Rev. J. R.	62
Turner, Maxine	270
Tuscaloosa <i>Independent Monitor</i>	20
Tustenughajo	46
Twenty-Mile-Creek	148
Tyson, John M.	34
Tyson, Noah A.	43

—U—

Underwood, Thomas	172, 176
-------------------------	----------

—V—

Vance, Gen. Zebulon B.	262
Vaugeois, Father —————	97
Viccars, Marion	157
Vicksburg	252

—W—

Walden, Samuel	42
Walker, Abram J.	16, 18, 21, 26
Walker, Anne Kendrick	37
Walker, Charles	93
Walker, John W.	8, 9
Walker, Col. L. M.	241

Wall, J. B.	32
Wallace, George C.	34
Ward, Robert David	77
Ware (Wears), Dolph	195
Warren, Thomas	41, 42
Wears (Ware), Dolph	195
Weaver, Philip I.	65
Weems, Moses	39
Wellborn, _____ (son of Capt. Wellborn)	58
Wellborn, Capt. Wm.	56, 57, 62
Wellborn, Gen. Wm.	63
Wellborn's Pea River Battle	55
Wentworth, George E.	30
<i>West Alabamian</i>	20
West Florida	98-115
boundary	5-36
Wetumpka	191
Wheeler, Gen. Joseph	261
White, Joseph M.	11
Whitehurst, John	39-40, 42
Whitehurst, Pillitier	42
Wiggins, Sarah W.	81
Wilkinson, J. A.	172, 176
Wilkinson, James	107, 108
"William Henry Skaggs and the Reform Challenge of 1894"	117-134
Williams, Bartly C.	40
Williams, Benjamin B.	265
Williams, Braddock	45
Williams, Hope H.	41
Williams, Jared	45
Williams, John L.	45
Williams, Judge S.	43
Williams, William	45, 49
Williamston	40, 45, 46, 61, 66, 70
Winnie Davis Wigwam	120
Winslett, Carson	64, 67
Winslett, Joel	41, 67
Winslett, John	44, 67

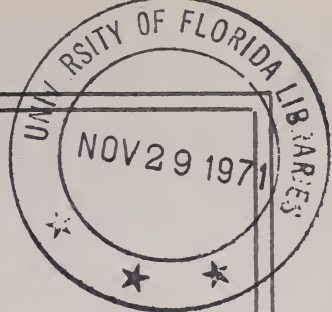
Winslett, Martin	67
Wise, Ezekiel	41
“With Loyalty and Honor As A Patriot” Recollections of a Confederate Soldier	240-263
Woolfolk, Col. John	67
Woolfolk, Sowell	67

—Y—

Yancey, William Lowndes	117
Yelverton, Gappa T.	14, 15
Young, G. L.	254
Yulee, David L.	13, 14, 15

—Z—

de Zespedes, Vicente Manuel	89
-----------------------------------	----



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THE ALABAMA HISTORICAL QUARTERLY

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No. 1

CONTENTS

The Chimerical Scheme of Ceding West Florida by <i>Jerrell H. Shofner</i>	5
Early Chronicles of Barbour County by <i>Green Beauchamp</i>	37
Book Reviews	74
Reynolds, <i>Editors Make War, Southern Newspapers in the Secession Crisis</i> , by J. Cutler Andrews.....	74
Bartley, <i>From Thurmond to Wallace: Political Ten- dencies in Georgia, 1948-1968</i> , by Robert David Ward	77
Korn, <i>The Early Jews of New Orleans</i> , by Robert R. Rea	78
Current, <i>Sections and Politics: Selected Essays by William B. Hesseltine</i> , by Sarah W. Wiggins.....	79

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THE CHIMERICAL SCHEME OF CEDING WEST FLORIDA

by

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Comprising a geographically homogenous region, Alabama and West Florida were bound by cultural and economic ties long before the eastern and western sections of the southernmost state began to feel a common identity.¹ For centuries before diplomatic expediency and historical accident established the 31st parallel as the political boundary separating Alabama and Florida, the two areas had a common human history. Indians moved along the waterways between interior Alabama and the coast before and during the long period when the region was claimed successively by Spain, Britain, and the United States. British traders operated freely across the 31st parallel when Florida belonged to Spain and Alabama was already part of the United States. After the foreign powers withdrew and the Indians were relentlessly driven out, settlers continued to trade, visit, and intermarry across the line. During the 1861 secession crisis, when state loyalties were at their zenith, Alabamians and West Floridians crossed the state boundary to join units composed of men they considered their neighbors even though it meant serving in the military forces of another state.² Economic ties between Pensacola and central Alabama became increasingly important as the two states developed.

Everyone recognized that the 31st parallel became the Alabama-Florida boundary through diplomatic necessities. For a long time afterward many interested observers believed that the line would be corrected to reflect a more reasonable political division. One of the most persistent issues in the affairs of the two states has been the recurring desire to annex West Florida to Alabama. Nine times during the 150 years since Florida was acquired by the United States there have been attempts with varying degrees of popular support to make the

¹John Lee Williams, *A View of West Florida* (Philadelphia, 1827).

²Record of the Simpson Mounted Rangers (Company E, 15th Confederate Cavalry), Conecuh County Letters, 1961-66, Alabama Department of Archives and History.

change. East Floridians have often been as anxious to see the west go as Alabamians have been to receive the additional territory. West Floridians, although at times divided, have generally favored the change. Yet all nine annexation movements failed. Only one reached the stage of serious negotiations and there is compelling evidence that even then the Florida governor was using the issue as a threat to obtain passage of other legislation.

Disputes over boundaries between the American states have been quite common. Since eleven of the thirteen original states were in contention over boundaries when the constitutional convention met in 1787, the framers empowered the national courts to settle "controversies between two or more states."³ In deciding numerous disagreements over boundaries the Supreme Court established a body of law which clearly supported the principle that one state might cede part of its territory to another. The only limitation is the constitutional requirement that interstate compacts must be approved by Congress. However, except for the transfer of part of Virginia to West Virginia under extraordinary circumstances, no state has agreed to cede part of its territory to another. Alabama is the only state ever to offer another money for part of its domain.

Although they exerted considerable energy to transfer West Florida to Alabama, most proponents of the several annexation schemes admitted that the boundary change would have been far more likely before Florida became a state and its people developed a common history and tradition. But diplomatic exigencies and chance often had more to do with United States acquisition of the Gulf Coastal region than considerations of geographical and social homogeneity of the states established there.⁴ When territorial governments were established they naturally conformed to national boundaries of the moment. After 1795 the United States possessed all the territory north of the 31st parallel and east of the Mississippi River. The area became the Mississippi Territory by a Congressional enactment

³*United States Constitution*, Article III, Section 2.

⁴*Acts of Alabama*, 1963, Regular Session, 1026-27.

of 1798. Georgia ceded her claims to it in 1802.⁵

Because all the rivers of the territory flowed through West Florida to the Gulf, President Thomas Jefferson believed that acquisition of the land south of the 31st parallel was essential to the national interest. Efforts to purchase West Florida or the land which controlled the Mississippi River's outlet to the Gulf resulted in the Louisiana Purchase in 1803. Extensive negotiations over the next several years failed to obtain agreement from France and Spain that West Florida had been included in the purchase. President James Madison finally seized all the land between the Mississippi River and the Perdido River, claiming that it had been included in the Louisiana Purchase Treaty of 1803. In 1812 it was added to the Mississippi Territory.⁶ During the next several years, residents of the eastern part of the Territory, which later became Alabama, had their hands full in averting a move to include them in a single state of Mississippi. When Mississippi was finally admitted in 1817, the area comprising present-day Alabama was detached and made a separate territory. With about seventy miles of seacoast on the western side, its only major egress to the sea was through Mobile Bay. The territory was landlocked from the Perdido River to its eastern boundary on the Chattahoochee.

Between the Perdido on the west and the Chattahoochee and Apalachicola on the east the land south of the 31st parallel comprises the area which has since been known as West Florida, a much smaller territory than that known earlier by the same name. The 10,000 square mile area, still in Spanish possession in 1817, was desired by Alabamians to give them a longer seacoast and the excellent Pensacola harbor. While the United States government was still negotiating with Spain for the

⁵Malcolm Cook McMillan, *Constitutional Development in Alabama, 1798-1901: A Study in Politics, the Negro, and Sectionalism* (Chapel Hill, 1955), 3; Francis G. Caffey, "The Annexation of West Florida to Alabama," *Proceedings of the Alabama State Bar Association*, (1901), 108.

⁶Isaac J. Cox, *The West Florida Controversy, 1789-1813* (Baltimore, 1918), 535; Hubert Bruce Fuller, *The Purchase of Florida: Its History and Diplomacy* (Gainesville, 1964), 184.

Florida territory and General Andrew Jackson's invasions were demonstrating its vulnerability, Alabama became a state in 1819.⁷ Unable to press a claim to West Florida at the time because it still belonged to a foreign power, the Alabama constitutional convention served notice of its desire for the territory and provided for future acquisition. On July 30, 1819, the convention transmitted a memorial to Congress asking "that if the treaty with Spain, . . . shall be ratified by the Spanish government—so much of the Territory . . . as lies West of the Apalachicola river, may be annexed to the State of Alabama."⁸

The convention also included in Alabama's fundamental law a delineation of the state's boundaries "subject to such enlargement as may be made by law in consequence of any cession of territory by the United States, or either of them."⁹ All subsequent constitutions of the state retained the provision.¹⁰ When the Adams-Onís Treaty was finally ratified in 1821, Florida became a single territory with boundaries which have since remained unchanged west of the Apalachicola River.

Until Alabama was admitted to statehood and Florida became a United States territory, advocates of annexation had no opportunity to concentrate on that goal. From that time on the annexation procedure became increasingly complex as the matter became embroiled in other problems confronting the nation, the state of Alabama, and the Territory of Florida. But citizens on both sides of the 31st parallel continued to strive for the change.

United States Senator John W. Walker was the leading

⁷Cox, *West Florida Controversy*, 655.

⁸Charles Tait to John W. Walker, November 16, 1821, John W. Walker Papers, Alabama Department of Archives and History; Clarence E. Carter, *The Territorial Papers of the United States* (Washington, 1954), XVIII, 664-66; *Journal of the Convention of the Alabama Territory begun July 5, 1819*, reprinted in *Alabama Historical Quarterly*, XXXI (1969), 57, 87.

⁹*Constitution of the State of Alabama of 1819*, Preamble.

¹⁰Caffey, "Annexation of West Florida, 109-110; Thomas M. Owen, *History of Alabama and Dictionary of Alabama Biography*, II (Chicago, 1921), 1392; Hugh C. Bailey, "Alabama Political Leaders and the Acquisition of Florida," *Florida Historical Quarterly*, XXXV (1956), 26-27.

advocate of annexation in Alabama. He argued that Pensacola "must become" the main seaport for at least southeastern Alabama. Unless the transfer was made, two-thirds of the state would be landlocked by a strip of pine barrens fifty miles wide between the 31st parallel and the coast.¹¹ In 1821 the Alabama legislature petitioned its Congressional delegation to work for annexation of West Florida.¹² When Congress took up legislation to establish a territorial government in Florida, Senator Walker offered an amendment from the floor which would have provided for attaching West Florida to Alabama. But with the Missouri Compromise so recently settled, Walker's amendment was defeated 25 to 19, with only three Southerners joining the Alabamian in voting for it. Peninsular Florida was known as a comparatively useless strip of sand which would not support a large population. Southern Senators, wishing to see Florida populated and admitted as a slave state, were reluctant to split the territory into two parts and have one of them joined to an established state while the other remained in territorial status because its population was too small for statehood. Senator Walker's 1822 efforts toward annexation failed for lack of support from his Southern colleagues, but he believed they would agree with him as soon as they realized that the peninsula would attract enough settlers to become a state.¹³ The *Mobile Register* argued that East and West Florida had nothing in common and "separation must come sooner or later and the sooner the better."¹⁴ A Pensacola citizen reported that people in his city were in favor of annexation and he stood ready to launch a petition campaign from West Florida when Walker asked for it.¹⁵

Early sectional divisions in the Florida territory encouraged annexation sentiment. Having been divided under both Spanish

¹¹Bailey, "Alabama Political Leaders," 27.

¹²Carter, *Territorial Papers*, XXII, 307-308.

¹³John W. Walker to Charles Tait, 19 March, 1822, Charles Tait Papers, Alabama Department of Archives and History; United States, *Senate Journal*, 17th Cong., 1st Sess., 275-76; Bailey, "Alabama Political Leaders," 28-29.

¹⁴Pensacola *Floridian*, March 8, 1823.

¹⁵J. H. Chaplin to John Walker, July 13, 1822, Walker Papers; Hugh C. Bailey, *John Williams Walker* (Tuscaloosa, 1964), 134-35.

and English rule, people in the territory were accustomed to the idea of two Floridas. Some even argued that the Adams-Onís Treaty obligated the United States to form two states from the territory. There was serious rivalry between East and West Florida over the location of the capital. St. Augustine on the east coast and Pensacola in the extreme western portion of the territory had been the population and governing centers of East and West Florida respectively. Separated by 400 miles of rarely travelled terrain, each town was anxious to become the territorial capital. St. Augustine citizens were angered when Andrew Jackson set up territorial government at Pensacola and established only a branch in their city. There was further resentment when the first legislative council met in Pensacola. It was this reaction more than the devastating yellow fever epidemic which swept Pensacola and drove the legislators out of town that caused the second session to be held in St. Augustine.

Transportation difficulties as well as sectional rivalry resulted in the capital being located mid-way between the older towns at Tallahassee. That compromise caused a new sectional force to develop and provide the major bulwark against all future efforts to annex West Florida to Alabama. At a time when cotton cultivation was becoming the major economic pursuit in the Southern United States, Tallahassee was located in an unsettled area where the climate and soil were ideally suited to that purpose. Because the value of the less tangible natural resources of East and West Florida were not recognized until much later, Middle Florida was settled more rapidly than they and became the dominant section in territorial Florida politics. It often balanced the other two sections against each other.

While Middle Floridians consistently opposed cession of the west to Alabama, East Florida adamantly insisted on separation of the territory at the Suwannee River. While its citizens were quite willing for West Florida to join Alabama they were just as anxious for the territory to be divided under two separate governments. In November, 1822, and again in January, 1823, St. Augustinians petitioned Congress to divide the territory.¹⁶ They argued that West Florida would retard the development of

¹⁶St. Augustine News, June 19, 1840.

the east and that Alabama would benefit from the acquisition of the western panhandle.¹⁷ But as long as the Suwannee River became their western boundary, East Floridians were not seriously concerned with the ultimate disposition of the west.

West Floridians were somewhat divided over the issue. The older residents of Pensacola, many of whom were of Spanish descent, preferred to remain with Florida. Most of the newer residents wanted to join Alabama.¹⁸ Advocates of annexation argued that similar climate and geography gave West Florida and Southern Alabama a common agricultural interest, Alabama rivers flowed to the sea through West Florida, and Florida coastal towns were trading centers for interior Alabama.¹⁹ In 1826 a group of West Floridians petitioned Alabama Governor John Murphy for assistance in annexing their section to his state. Expressing enthusiasm for the idea, Murphy told the legislature that annexation would favor West Florida, Alabama and the Union. If Florida were to continue as a territory, he said, there was no reason against annexation. If it were made into a state, "this portion, important to us only, must always be weak, and wanting in intimate connection with the rest [of Florida]"²⁰ The economic affinity of the two regions was emphasized by Florida Territorial Delegate Joseph M. White's 1826 proposal that the United States Navy open a waterway between Pensacola and the Mobile River. He thought a six mile canal would make Pensacola's harbor accessible to much of interior Alabama.²¹ After 1826 little more was said about annexation or division of the territory until Floridians began seriously considering statehood in the late 1830s.

As the likelihood of statehood for Florida increased, Alabama reiterated her continuing interest in annexation of the western portion of the territory. In December 1837, the Alabama legislature petitioned its Congressmen to "use all proper means" to bring about the change.²² In reporting the Alabama

¹⁷St. Augustine *East Florida Herald*, April 12, 1823.

¹⁸Sidney Walter Martin, *Florida During the Territorial Days* (Athens, 1944), 261.

¹⁹*Ibid.*, 260.

²⁰Alabama, *Senate Journal*, 1826, 10.

²¹Carter, *Territorial Papers*, XXIII, 360.

²²*Acts of Alabama*, 1837, 128.

request to the Legislative Council, Territorial Governor Richard Keith Call of Tallahassee declared it "no less unexpected than extra ordinary" and warned of its "most fatal consequences to the present and future prospects of Florida."²³ The Council, dominated by Middle Florida interests, appointed a committee to consider the matter. It reported Alabama's request as "extra ordinary ill-timed and injudicious, . . ."²⁴ But St. Augustinians intensified their demands for separation of the territory at the Suwannee River. Complaining that government of Florida as a single territory had been "most peculiarly harrassing and vexatious" to East Floridians who were outnumbered by Middle and West Florida "with which [they] had no association or business connexion," St. Augustine petitioners for separation declared that "nature never intended that East Florida should be formed into a state with Middle and West Florida."²⁵ They also felt that St. Augustine would become the capital of a territory whose western boundary was the Suwannee River.²⁶

With East Floridians clamoring for separation and opposing statehood as unnecessarily expensive, the Middle Florida dominated Legislative Council called for a constitutional convention. To avoid offending the proponents of St. Augustine, Pensacola, or Tallahassee any more than necessary, the Council selected St. Joseph on the Gulf Coast as the convention site.²⁷ Although St. Augustine voters rejected the constitution by a ten to one majority, it was ratified by the narrow majority of 2070 to 1975 by all the voters of the territory.²⁸ During the next two years Congress was flooded with petitions from Florida; those from the Middle and West favoring admission as a single state and the East demanding division.

By early 1840 it seemed that the East Floridians were likely to win the struggle. To avoid the possibility of being left out of the Union for a lengthy period, West Floridians

²³Florida, *Legislative Council Journal*, 1838, 74.

²⁴*Ibid.*, 120; Carter, *Territorial Papers*, XXIII, 472n.

²⁵Carter, *Territorial Papers*, XXIII, 470-71; Martin, *Territorial Days*, 262.

²⁶Arthur W. Thompson, *Jacksonian Democracy on the Florida Frontier* (Gainesville, 1961), 36.

²⁷Martin, *Territorial Days*, 266.

²⁸*Ibid.*, 272.

revived their interest in annexation to Alabama. A Pensacola citizens' meeting in May, 1840, petitioned Congress to make the change. Noting that Alabama rivers flowed through West Florida, that union of the area with Alabama would be in accord with the Adams-Onís Treaty, and that industrial development would be promoted, the petitioners emphasized that such a change would "solve a long controversy" by allowing East Florida to enter the Union as a single state.²⁹

East Floridians hoped that Southern desires to increase the number of slave states might bring about a division of the territory by Congress. A bill was introduced in 1840 which would have divided the territory, but after a long debate it was defeated.³⁰ The balance of free and slave states had been so carefully preserved since the Missouri Compromise that Congress was unwilling to admit even one Florida until another free territory was prepared for statehood. Finally, on February 10, 1845, a bill to admit Florida and Iowa was introduced. A provision that the former might be divided by its own legislature after it became a state was included in the original bill, but was deleted almost as soon as debate on the measure began.³¹ Florida was admitted as a single state on March 3, 1845. In the election for state offices, the Democratic party, which had favored statehood, made a clean sweep. David L. Yulee, an East Floridian, who had argued effectively for admission despite numerous petitions from his St. Augustine neighbors, was elected to the United States Senate. Yulee and others who had argued for admission of Florida as a single state believed that statehood would engender a feeling of state identity among all its citizens and enable them to develop a transportation system binding the far-flung section together. Statehood also made annexation of West Florida to Alabama a much more difficult undertaking than it would have been before 1845. Since Florida followed the common practice of including a definition of its boundaries in the state constitution, any future cession of

²⁹*Ibid.*, 265.

³⁰*Congressional Globe*, 26th Cong., 1st Sess., 239, 547.

³¹United States, *House Report No. 577*, 28th Cong., 1st Sess., 3-4; Dorothy Dodd, *Florida Becomes a State* (Tallahassee, 1945), 419-20; Martin, *Territorial Days*, 276-77.

territory would require an amendment to be ratified by all the voters of the state. The question of dividing Florida into two states or annexing part of it to Alabama seemed to have been settled.

In 1853, while Yulee was working diligently to obtain state support for a system of railroads and canals across Florida, the Alabama legislature renewed its long-standing proposal to annex the area west of the Apalachicola River.³² Not all Alabamians agreed. The *Selma Sentinel* thought West Florida was without value. But the *Montgomery Journal* noted the valuable timber land there and reminded its readers that the Gulf of Mexico was the natural boundary of Alabama while the "narrow slip of Florida" was out of place and inconvenient. Both states would benefit by the change. Most Floridians agreed with the *Tallahassee Floridian and Journal* which refused to "consent to the dismemberment."³³

Accepting Yulee's argument that a railroad system would bind the distant parts of Florida together as well as promote development of its resources, the legislature enacted a law guaranteeing state aid to private companies willing to build several needed rail connections, including one between Jacksonville and Pensacola. Meanwhile, however, Pensacola continued to look toward interior Alabama for trade and commerce. The Alabama and Florida Railroad received charters from both states to build a line connecting Pensacola with Montgomery.³⁴

Undaunted by Florida's hostile reception of the 1853 proposal, the Alabama legislature again proposed cession in 1853.³⁵ Judge Gappa T. Yelverton was appointed commissioner to confer with Florida authorities about the transfer. Middle Florida was again provoked by the suggestion. The *Madison Messenger* asked, "Does Alabama think we will consent to have all of West Florida, by far the most important part of our State in a commercial point of view, with two of our largest and most import-

³²*Acts of Alabama*, 1853-54, 501.

³³*Tallahassee Floridian and Journal*, February 11, 1854.

³⁴George W. Pettengill, Jr., *The Story of Florida Railroads* (Boston, 1952), 15-16.

³⁵*Acts of Alabama*, 1857-58, 432.

ant cities and the best harbors on our whole Atlantic or Gulf coast, ruthlessly cut off from us . . . Not a bit of it. . . ." The Tallahassee *Floridian and Journal* indicated that Judge Yelverton's visit would be unwelcome.³⁶ When Florida officials declined to consider the matter, the project was abandoned.³⁷

Secession and Civil War not only diverted attention from the annexation question for the next several years, but also encouraged a greater feeling of identity with the state of Florida among many of its residents. Although Alabamians unhesitatingly crossed the state line and joined military units at Milton because of the close identity of the two regions, Floridians had an opportunity for the first time to pursue an important common goal. Postwar administrations at Tallahassee tried to capitalize on this incipient state loyalty by completing the transportation network which David Yulee had earlier sponsored. At the same time, many citizens of Pensacola and West Florida were still tied closely to Alabama, while others believed that the area's economic development depended on railroad connections with interior Alabama. Citizens of Pensacola worked hard to restore a rail link with Montgomery either by repairing the Alabama and Florida Railroad or by building a line westward to intersect a Mobile and Montgomery line. Officials at Tallahassee realized that a railroad connecting Pensacola with Middle and East Florida was essential to the future of the state.

Alabama's most serious and sustained effort to annex West Florida occurred in the post-Civil War period. Sectional attitudes toward the change remained much the same as they had always been, but several prominent Pensacola promoters made it clear that they favored a boundary change if it seemed likely to give them rail connections with the interior and the Atlantic coast. People on both sides of the 31st parallel began discussing the desirability of Florida's ceding the area west of the Choctawatchee River to Alabama. In December 1868, the Alabama legislature passed a joint resolution, sponsored by Senator J. L. Pennington, a Lee County Republican, authorizing Governor

³⁶Tallahassee *Floridian and Journal*, January 30, 1858.

³⁷Owen, *History of Alabama*, Vol. II, 1392.

William H. Smith to open negotiations with Florida authorities for annexation to Alabama of all territory west of the Chattahoochee and Apalachicola rivers. The resolution noted that no transfer of control would be binding until the agreement had been ratified by the legislature of both states and approved by Congress. The Alabama legislature was not then aware that Florida's constitution would also require an amendment, or at least did not at first consider it a serious obstacle. The state auditor was authorized to pay "necessary incidental expenses."³⁸

A few days later Governor Smith appointed Pennington, Secretary of State Charles A. Miller, and A. J. Walker, a former Supreme Court judge who had been replaced when Congressional Reconstruction became effective, as commissioners to go to Florida and negotiate for annexation.³⁹ The *Montgomery Alabama State Journal* commented approvingly that "annexation will greatly improve the wealth of Alabama and give us territory that should have been our years ago."⁴⁰ With optimism typical of the period, the *Montgomery Weekly Mail* noted that the Alabama legislature would aid construction of a railroad connecting Pensacola with Middle Florida and predicted that Montgomery would soon have a railroad tie with Fernandina, "the best harbor on the Atlantic south of Norfolk." Such a route would make shipping cheaper because it would avoid the exorbitant insurance rates required for water transportation around the dangerous Florida keys.⁴¹ The *Talladega Watchtower* provided the sobering thought that any change of boundaries would be difficult since it would require an amendment to the Florida constitution.⁴² The *Pensacola West Florida Commercial*, a Conservative sheet, strongly favored annexation while the moderate Republican *Pensacola Observer* gave its support only after learning that Alabama was willing to pledge state credit to obtain financial aid for a railroad to be constructed eastward from the port city.⁴³

³⁸*Acts of Alabama*, 1868, 599.

³⁹William Garrett, *Reminiscences of Public Men in Alabama* (Atlanta, 1872), 455.

⁴⁰*Montgomery Alabama State Journal*, January 9, 1869.

⁴¹*Montgomery Weekly Mail*, January 2, 1869.

⁴²*Talladega Watchtower*, January 27, 1869; *Tuscaloosa Independent Monitor*, February 2, 1869.

⁴³*Montgomery Weekly Mail*, January 2, 1869.

The Alabama commissioners arrived in Tallahassee in mid-January while the Florida legislature was in session. Realizing the delicacy of their mission to ask one state to sell part of its territory to another, they explained to Governor Harrison Reed that "we visit in no spirit of arrogance or presumption." They proposed only to invite the governing officials and people of Florida to consider the question which had been long cherished. They believed there were good reasons for the change which a glance at the map would suggest. "The regularity of a geometrical figure which it would give Alabama, the improvement in the outlines of Florida . . . the fact that Alabama streams traverse West Florida, the commerce and trade between West Florida and Alabama, and the homogeneity of tastes, sentiments and interest . . . combine to afford argument for a political connection so obvious that they have long been recognized." More important for the Alabama commission, however, was the presence of extensive iron and coal deposits in central Alabama awaiting development. Their products would be shipped through Pensacola, making it a great city, "probably the Birmingham of America."

Assuring the Florida leaders that they were interested only in the area west of the Choctawatchee which would give them Pensacola, the Alabamians noted that they believed it more equitable to West Floridians if the line were drawn at the Apalachicola. Asking that Governor Reed appoint a committee to communicate with them, the Alabamians prepared to leave Tallahassee and allow the Floridians to decide for themselves whether to pursue the question.⁴⁴

Probably because it served their own purposes, Florida authorities received the Alabama commissioners much more enthusiastically than the latter had expected. Noting that any cession of territory would require a change of the constitution, Governor Reed agreed to recommend that the Florida legislature consider the Alabama proposal. This scarcely committed the governor to the change since a constitutional amendment required the consent of two-thirds of the legislature in two successive sessions and approval of a majority of the voters.⁴⁵ Reed

⁴⁴Montgomery *Alabama State Journal*, January 30, 1869.

⁴⁵*Ibid.*

told the legislature that West Florida discontent with the rest of the state might be mitigated if a railroad were built between Quincy and Pensacola as called for the by the 1855 Internal Improvement Act. Without such a railroad, the governor admitted that he could understand the desire of West Floridians to be ceded.⁴⁶

Under a suspension of the rules, the Florida legislature rapidly passed a joint resolution authorizing the governor to appoint a commission to confer with the Alabama delegation about the cession of West Florida. Before the legislature met again in January, 1870, the governor was to call an election in the area west of the Apalachicola to see if a majority desired annexation. Since the exact area to be transferred was not decided upon, the votes on the east and west side of the Choctawatchee were to be kept separate so the views of each group would be known.⁴⁷

Returning to Alabama with high hopes, Pennington, Miller, and Walker reported their mission "far more successful than we anticipated." Pennington told Governor Smith that he expected annexation to be accomplished by the following winter.⁴⁸ The chief executive and legislature of Florida were favorable to the change, according to some Alabama newspapers.⁴⁹ An elderly resident of Marianna, Jackson County, Florida, wrote that he and "the West" were hoping to be annexed to Alabama.⁵⁰

Public debate over annexation did not become serious until after the two state commissions completed a firm agreement. Governor Reed appointed three commissioners from Florida who went to Montgomery as guests of the state of Alabama and negotiated with the Alabama commissioners. All three sections of the state were represented. Dr. N. C. Moragne, a state

⁴⁶Jacksonville *Florida Union*, January 28, 1869; Florida, *House Journal*, 1869, 91.

⁴⁷Montgomery *Daily Advertiser*, January 31, 1869.

⁴⁸J. L. Pennington to W. H. Smith, February 10, 1869, W. H. Smith Executive File, Alabama Department of Archives and History.

⁴⁹Tuscaloosa *Independent Monitor*, February 2, 1869.

⁵⁰Ethelred Philips to J. J. Philips, February 16, 1869, J. J. Philips Papers, Southern Collection, University of North Carolina at Chapel Hill; William Garrot Brown, *History of Alabama* (New York and New Orleans, 1905), 269.

senator from Palatka on the St. Johns River represented the East, Charles E. Dyke, long-time editor of the Tallahassee *Floridian* and prominent Conservative-Democratic leader who opposed the cession, was the Middle Florida member, and William J. Purman, a former Freedmen's Bureau agent, native of Pennsylvania, and Republican senator from Jackson County, spoke for West Florida.⁵¹

Arriving in Montgomery in early May, 1869, the Florida commissioners were lodged at the Exchange Hotel and lavishly entertained during their visit.⁵² There was a brief delay in opening negotiations because Secretary of State Miller was called to Tuscaloosa to deal with a racial disturbance.⁵³ Upon his return an agreement was reached in which the Floridians drove a hard bargain. According to a document signed on May 17, the Florida commissioners agreed to cede eight counties west of the Apalachicola River to Alabama. The agreement was contingent upon acceptance by both states, and the consent of Congress. The area to be ceded comprised about 10,000 square miles inhabited by about 27,000 people. The assessed property of the region yielded about \$47,000 in state and county taxes in 1860.⁵⁴ For the territory, Alabama was to pay \$1,000,000 in thirty year, eight percent bonds. About 1,500,000 acres of public lands were to go to Alabama. All officials of West Florida were to retain their offices and special arrangements were made with respect to the jurisdiction of courts under Alabama law. Governors of the two states, within sixty days after agreement of Congress, were to issue proclamations declaring the transfer of jurisdiction over the ceded territory. Alabama agreed to give financial aid to a railroad from the Apalachicola River to Pensacola or some point on the Montgomery and Mobile Railroad by endorsing its bonds at the rate of \$16,000 per mile. The Savannah and Gulf—a Georgia railroad running from Savannah to Bainbridge with plans for extending to New Orleans—was to be denied permission to

⁵¹Tallahassee *Weekly Floridian*, May 25, 1869.

⁵²Montgomery *Alabama State Journal*, May 8, 1869.

⁵³Montgomery *Weekly Mail*, May 22, 1869.

⁵⁴Tuscaloosa *Independent Monitor*, June 1, 1869; Talladega *Watchtower*, May 26, 1869.

cross the territory for three years after the transfer.⁵⁵

The Montgomery *Daily Advertiser* critically observed that if the bonds were outstanding for twenty years, the state would have paid more than \$3,000,000 for the port of Pensacola. Since the question had been "agitated for the past twenty-five years" with no results, the paper thought the people should have a chance to decide if the transaction was worth the cost.⁵⁶ Mobile leaders generally opposed annexation. L. W. Lawler of that city ridiculed the purchase of a "few sterile counties" for \$1,000,000 by "people already oppressed by high taxes." He saw no advantage to Alabama except improved symmetry of the map. Pensacola was already open to Alabamians and had been for fifty years. The legislature might better use its funds by improving Mobile harbor.⁵⁷ In a letter to the *West Alabamian*, Thomas M. Peters agreed that "if we have money to spare, let's use it on Mobile. We need the money more than we need any part of Florida."⁵⁸ Ryland Randolph of the *Tuscaloosa Independent Monitor* said West Florida was "too poor to sprout peas." The Talladega *Watchtower* opposed additional indebtedness because taxes were already too heavy.⁵⁹

Many other Alabamians were just as emphatically in favor of the purchase. The Jacksonville *Republican* admitted that Florida was benefiting by receiving \$80,000 a year in interest on the bonds and completion of a railroad connection from Pensacola to Fernandina. But Alabama's acquisition of the port of Pensacola was significant since it would become a coaling station for ships of the world. Furthermore, rail connections from Mobile to Fernandina would enable the Alabama city to handle all the cotton which normally was shipped to Savannah

⁵⁵Jacksonville [Alabama] *Republican*, May 29, 1869; Pennington and Walker to W. H. Smith, June 3, 1869, Smith Executive File; *Documents Accompanying the Governor's Messages*, 1869, (Montgomery, 1869), 3-8.

⁵⁶Montgomery *Daily Advertiser*, May 19, 1869.

⁵⁷Montgomery *Daily Advertiser*, February 13, 1870.

⁵⁸Montgomery *Alabama State Journal*, August 7, 1869.

⁵⁹Quoted in Ralph Erskine Pannell, "The Administration of William Hugh Smith: Governor of Alabama, 1868-1870," (unpublished Master's thesis, Alabama Polytechnical Institute, 1958), 53.

over the Georgia Central.⁶⁰ The *Montgomery Weekly Mail* agreed that the Georgia Central would be "completely flanked" and Mobile would begin a new era and add taxable property to the state.⁶¹

Pennington, Walker, and Miller admitted that the Floridians had obtained a high purchase price, but "this was unavoidable" because Alabama was asking the peninsular state to sell part of its territory. They thought it scarcely conceivable that Florida would reject such a favorable agreement, but if that happened "the subject had better be dropped forever, for a more favorable opportunity or a fairer one will never be presented."⁶² Governor Smith objected to the high price, but recognizing Florida's superior bargaining position, recommended that the legislature accept the agreement.⁶³

Florida attitudes toward the cession agreement were comparable to those regarding similar attempts before the war. East Floridians were generally favorable to the change, although many were now indifferent and a few opposed dismemberment of the state. West Floridians were divided, but important leaders favored annexation. Middle Florida was again opposed. Returning to Tallahassee after completing the cession agreement, Dyke lashed out at the proposition of "lopping off one-sixth of the state area, one-fifth of the entire population, every harbor on the Gulf capable of admitting a decent sized ship and one-sixth of our taxable resources. Surely our people will not do this." But he also identified the major cause of discontent in West Florida. It was true, he said, that the people there needed transportation but the state of Florida should give it to them. "This annexation scheme has to be met." Otherwise, "it will come up again and again until the cause is removed." Arguing that Pensacola was worth keeping, Dyke favored any "reasonable aid" by the state to a railroad across West Florida. "Give them the railroad and annexation fever will die." "Let us retain the west at all hazard. Florida as she is, now and forever,

⁶⁰Jacksonville [Alabama] *Republican*, May 29, 1869.

⁶¹*Montgomery Weekly Mail*, May 26, 1869.

⁶²*Montgomery Daily Advertiser*, June 9, 1869.

⁶³*Ibid.*; *Alabama State Documents*, 1869-70, Governor's Message.

one and indivisible, must be our motto."⁶⁴ The Republican Tallahassee *Sentinel* in rare agreement with its Conservative rival said "Hold on to our seaports. Part with Pensacola and the credit of our State is gone beyond redemption . . . immigration pamphlets will be worthless save as lining for the trunks of the departing carpetbaggers, among whom we shall not be hindmost."⁶⁵

Final decisions on annexation were postponed because neither the Florida legislature nor Governor Reed wished to act until the sentiments of West Floridians were determined. The legislature authorized an election in the eight West Florida counties for November 1869. When the Alabama legislature convened in the same month, the results of the West Florida election were not reported. Action was deferred until the November, 1870, session.

The circumstances of a special session of the Florida legislature in June, 1869, indicated that Governor Reed and several legislators may have been more interested in using the annexation proposal as a threat to obtain desired railroad legislation than in ceding a portion of the state. Reed, an old Wisconsin Whig turned Republican, wanted to complete the transportation system outlined in the 1855 Internal Improvement Act, including the railroad from Jacksonville to Pensacola. By early 1869, people all over the state had joined West Floridians in clamoring for completion of the road. Two companies had built the line as far west as Quincy before the Civil War. But nearly 200 miles of track were still required to link Quincy with Pensacola and give West Floridians rail transportation to the state capital and the Atlantic coast. When Alabama proposed the purchase of West Florida in early 1869, a series of complex negotiations were in progress to provide the railroad west of Quincy.

The Florida, Atlantic and Gulf Central Railroad, which had built from Jacksonville to Lake City, and the Pensacola and Georgia, running from Lake City to Quincy, were both bankrupt and deeply in debt to the Florida Internal Improvement Fund

⁶⁴Montgomery *Alabama State Journal*, June 5, 1869.

⁶⁵Tallahassee *Sentinel*, quoted in Palatka *Herald*, June 2, 1869.

after the Civil War. The Fund Trustees were exceedingly generous with the roads, but both failed by 1868 and were sold at public auction. The sales were friendly, having been agreed to in advance by the individuals who controlled them. The effect of the sales was to transfer the roads' debts to the Internal Improvement Fund and free the companies to resume operation and extend the line westward.⁶⁶ Following these negotiations closely, Editor Dyke had written in the *Floridian* in early February that "if our West Florida friends will have a little patience, we think that annexation to Florida will be accomplished. . . ."⁶⁷

Governor Reed was keenly interested in the success of a new company being formed to control both the old roads and build the new line. Edward Houstoun, the president of the Pensacola and Georgia, had contacted George W. Swepson, an influential investor of North Carolina, and interested him in the Florida roads.⁶⁸ Swepson's partner and legislative lobbyist was Milton S. Littlefield, an extremely popular, free-spending, former Union military officer, who had become closely acquainted with Governor Reed and his wife when the three were in Fernandina during the war. Anxious for the westward railroad, friendly with Littlefield, and perhaps dazzled by the promoter's splendid life style, Reed did everything he could to cooperate.

Littlefield and Swepson wanted an act incorporating the Jacksonville, Pensacola and Mobile Railroad Company with power to consolidate the two existing lines from Jacksonville to Quincy and a monopoly right to build from the latter city through Pensacola to Mobile. Partially to secure necessary legislation for the incipient company, Reed called a special

⁶⁶Jacksonville *Mercury and Floridian*, March 27, 1869; Tallahassee *Sentinel*, March 27, 1869; C. K. Brown, "The Florida Investments of George W. Swepson," *North Carolina Historical Review*, V (July, 1928), 276; Paul E. Fenlon, "The Notorious Swepson-Littlefield Fraud: Railroad Financing in Florida, 1868-1871," *Florida Historical Quarterly*, XXXII (1954), 238; *Minutes of the Proceedings of the Board of Trustees of the Internal Improvement Fund*, I (Tallahassee, 1902), 370-72.

⁶⁷Pensacola *Commercial*, February 2, 1869, quoting *Floridian*.

⁶⁸E. Houstoun to J. P. Sanderson, February 3, 1869, Edward M. L'Engle Papers, Southern Collection.

session of the legislature in June, 1869.⁶⁹ Having told the body in January that West Florida's desires for annexation to Alabama could be satisfied by extending the railroad from Quincy to Pensacola, Reed asked the special session to incorporate the new company and grant it aid under the 1855 Internal Improvement Act.⁷⁰ Even with Reed's backing, the measures still encountered stiff opposition. Dilatory efforts stalled action so that railroad supporters threatened to filibuster to death the annual appropriations measure, which was also being considered at the same time, unless their bills received favorable consideration. Senator William Purman of Jackson County, one of the Florida commissioners to Montgomery, warned that he would work for annexation of West Florida to Alabama if construction of a railroad through his section were delayed. A senator retorted that this would be an easy way to dispose of Senator Purman.⁷¹ Two bills finally became law which incorporated the Jacksonville, Pensacola and Mobile Railroad and guaranteed it state aid comparable to that which Alabama had promised to furnish for railroad construction eastward from Pensacola.⁷²

Before the special session had taken up the railroad bills, Purman wrote J. L. Pennington insisting that he come to Tallahassee and "work on the members of the legislature from West Florida . . . and secure their cooperation."⁷³ With Governor Smith's approval, Pennington left for Tallahassee with \$1,000 "for expenses and to use at Tallahassee."⁷⁴ Governor Reed's interest in annexation diminished markedly after the railroad legislation was approved and he subsequently opposed any cession of Florida territory. Purman's advocacy of the transfer was also lessened after the special session, but there was still considerable enthusiasm in West Florida for the change.⁷⁵ Pennington spent several weeks and about \$4,000 of Alabama state

⁶⁹Jacksonville *Florida Union*, June 17, 1869.

⁷⁰Florida, *House Journal*, 1869, Governor's Message, 15, Extra Session, Governor's Message, 10.

⁷¹Jacksonville *Florida Union*, June 17, 24, 1869.

⁷²*Laws of Florida*, Extra Session, 1869, 25-34, 40-42.

⁷³J. L. Pennington to W. H. Smith, June 7, 1869, Smith Executive File.

⁷⁴Pennington to Smith, June 7, 12, 1869, *ibid*.

⁷⁵Pensacola *Semi-Weekly Commercial*, June 8, 1869; Owen, *History of Alabama*, II, 1395.

funds campaigning in West Florida before the November election.⁷⁶ In the seven counties where elections were held, the vote was 1162 for annexation to Alabama and 661 against. No election was held in Jackson County which was allegedly so overwhelmingly in favor of the change that an election was superfluous.⁷⁷ Having been approved by a majority of the West Florida voters, the annexation proposal was turned over to the two state legislatures for consideration.

In January, 1870, a joint resolution was introduced in the Alabama legislature to ratify the agreement and request the state's Congressional delegation to seek approval from that body. Although a legislative committee reported favorably on the resolution, serious opposition was developing both in the capital and the state press. Some of the objections were repetitions of those made earlier: that Alabama could not afford the expense, that Alabamians would have the use of Pensacola harbor regardless of whether it was in Alabama or Florida, and that West Florida was a "sand-bank and gopher region."⁷⁸ The *Montgomery Advertiser* also warned that state endorsement of bonds for the railroad between Pensacola and the Apalachicola River would obligate Alabama to the extent of between \$2,000,000 and \$3,000,000 in addition to the purchase price.⁷⁹

The annexation suffered more from adverse criticism of the Alabama commissioners' expenditures than any other opposition. When it became known that the commissioners had spent \$10,500 on their annexation endeavors, the protest was so vigorous that a legislative committee composed of J. A. Gordy, H. C. Sandford, and I. D. Sibley was appointed to investigate the matter and report its findings. Its report was damaging to the commissioners and the annexation resolution before the legislature.⁸⁰

⁷⁶Caffey, "Annexation of West Florida," 115-16.

⁷⁷St. Augustine *Examiner*, December 11, 1869; Pensacola *West Florida Commercial*, November 16, 1869; Jonathan C. Gibbs to Governor of Alabama, December 1, 1869, Harrison Reed to William H. Smith, December 1, 1869, Smith Executive File; Owen, *History of Alabama*, II, 1395.

⁷⁸Caffey, "Annexation of West Florida," 115, quoting Hayneville *Examiner*.

⁷⁹Montgomery *Daily Advertiser*, February 15, 1870.

⁸⁰*Alabama State Documents, 1869-70*, Auditors Report, 41; A. B. Moore, *History of Alabama* (Nashville, 1934), 494.

The governor had originally been authorized to draw treasury warrants "to defray necessary incidental expenses" in negotiating with Florida authorities." Considerable publicity was attracted to the financial question when Pennington's request for \$4,000 to be used in the West Florida election campaign was rejected by the state auditor. At Pennington's request, Governor Smith ordered the money released, but only after an attorney general's opinion that it was a proper expenditure.⁸¹ The *Mobile Register* criticized the use of so much money for the "avowed" purpose of influencing West Florida voters, "or in plain language to *bribe* them."⁸² When he learned that \$10,500 had been spent on the negotiations, Ryland Randolph denounced the "monstrous scheme" as "more thieving" by the Republicans who controlled the state.⁸³

While many critics had their own reasons for opposing annexation, the case against the commissioners was a serious one. Upon departing for Tallahassee in January, each had drawn \$500 for expenses. Then the three Florida commissioners had come to Montgomery at Alabama's expense. While two of them stayed less than two weeks and the other about a month, they were ostensibly entertained and billeted at the Exchange Hotel. Only \$16 of the money was ever specifically accounted for, but the commissioners drew another \$5,000 on May 17, the same day the agreement with the Floridians was completed. The hostile *Mobile Register* asked if the money was a bribe to the Florida commissioners. If not, "what became of it?" the paper demanded⁸⁴ With the final \$4,000, Pennington campaigned in all eight West Florida counties, distributing 200 copies of the *Alabama Manual* and 2500 copies of the commissioners' report on the proposed annexation. Most Conservative newspapers exonerated Judge Walker's actions while denouncing the two Republicans, but many people were disturbed that none of

⁸¹J. L. Pennington and Charles A. Miller to W. H. Smith, August 5, 1869, Smith Executive File; *Mobile Weekly Register*, February 12, 1870.

⁸²*Mobile Weekly Register*, February 12, 1870.

⁸³*Tuscaloosa Independent Monitor*, February 15, 22, 1870.

⁸⁴*Mobile Weekly Register*, February 12, 1870; *Montgomery Daily Advertiser*, February 15, 1870.

the three could offer a detailed accounting of the expenditures.⁵⁵

In late February, 1870, the legislature postponed further action on annexation until the following session. The announced reason for the delay was that the Florida legislature had adjourned without acting on the matter and would not meet again until January, 1871. Meanwhile, the Alabama people would have time to consider the matter and let their legislative representatives know their feelings.

While the furor over expenditures was taking place at Montgomery, Florida's Governor Reed reported to the legislature in January, 1870, that the West Florida election had gone in favor of annexation. He added quickly that he did not believe that a significant number of all Floridians were willing to cede one-fifth of the state's territory and population and the finest harbor on the Gulf. Neither Reed nor any other Florida official took any further action to complete the transaction with Alabama. He was hopeful at the time that the Jacksonville, Pensacola and Mobile Railroad Company would complete its construction between Quincy and Pensacola. Although sentiment in Pensacola for annexation remained strong, little was said about it until the newly chartered railroad company became hopelessly bankrupt in 1873 and left West Florida again without prospect of a transportation link with Middle Florida and the capital.

Annexation was discussed frequently in the Alabama legislature after the 1870 resolution was delayed, but it did not receive serious attention again until 1873 when Governor David Lewis assumed the initiative.⁵⁶ Recalling the 1869 agreement between the Alabama and Florida commissioners, Lewis reminded the 1873 legislature of the benefits its completion would bring both states. Arguing that there was no way that a railroad could profitably unite East and West Florida, he asked

⁵⁵J. A. Gordy to W. H. Smith, December 14, 1869, Smith Executive File; *Tuscaloosa Independent Monitor*, February 15, 1870; *Mobile Weekly Register*, February 5, 12, 1870; Caffey, "Annexation of West Florida," 118.

⁵⁶Alabama, *Senate Journal*, 1873, 100, 107, 175; Owen, *History of Alabama*, II, 1395.

the legislature to renew negotiations for cession. There was vigorous opposition to the proposal in both houses. A delaying amendment failed in the senate by only four votes. But in March, a joint resolution passed, authorizing the issue of \$1,000,000 worth of coupon bonds to be given to Florida in exchange for the territory west of the Apalachicola River and its share of the Florida state debt. This time the resolution specifically allowed \$3,000 for expenses.⁸⁷ Lewis transmitted the resolution to Florida Governor Ossian B. Hart, expressing hope that he would call a special legislative session to which Alabama commissioners could be sent to speak.⁸⁸

Neither Governor Hart, who was ill during most of his term, nor the Florida legislature were interested in the annexation proposal. But there was no dearth of Floridians willing to campaign for it for a consideration. Ex-Governor Harrison Reed, repudiated by his party and without employment, offered his services to Lewis. Explaining that he had opposed cession of West Florida in 1869 because he thought Floridians were willing to build the railroad to Pensacola, he wrote that "it is now apparent that it is not the intention of our legislature to secure these advantages to the state" Reed thought there was a disposition among Floridians to favor cession in 1873. "I myself am inclined to favor it," he declared, adding that "If you will authorize me to act for Alabama with sufficient means in hand to prepare the way, I think I can undertake it successfully"⁸⁹

Purman, who had been elevated to Congress since his 1869 negotiations in Montgomery, acted as broker between Hart and Lewis and also attempted to extract some funds from the Alabama governor. He warned Governor Lewis that the annexation question would not be decided according to the wishes of the people living in West Florida. Ostensibly speaking with Governor Hart's permission, Purman warned that the chief

⁸⁷Hugh C. Bailey, "Alabama and West Florida Annexation," *Florida Historical Quarterly*, XXXVI (1957), 228; Alabama, *Senate Journal*, 1873, 391, 440, 461, 463.

⁸⁸David P. Lewis to O. B. Hart, April 11, 1873, Governor David P. Lewis Correspondence, Alabama Department of Archives and History.

⁸⁹Harrison Reed to David P. Lewis, February 18, 1873, Lewis Correspondence.

executive favored annexation only if the question were submitted to all of the people of the state for approval. Thus, "we must have the press on our side," he insisted. Because it was in financial difficulty, the Jacksonville *Tri-Weekly Union* was about to be acquired by Lieutenant Governor Marcellus L. Stearns who opposed annexation. This could only be prevented if a contribution were made to the paper at once.⁹⁰ Governor Lewis replied that there was no fund for such purposes, but he was willing to be responsible for \$15,000 from the executive contingent fund if annexation succeeded⁹¹

Whether the requested contribution was made is not clear. Lieutenant Governor Stearns subsequently acquired the support of the Jacksonville *Union*, but Purman also worked diligently during 1873 for annexation. At his bidding, a Pensacola delegation visited Jacksonville in May to secure support from that section.⁹² From Palatka on the St. Johns, Calvin Gillis wrote that he had favored cession of West Florida to Alabama for years because it would benefit the East. It would make Florida more compact, internal improvement projects could be concentrated, and the capital city could be removed to the East. Warning that Middle Florida would fight annexation in order to keep the capital at Tallahassee, Gillis suggested that an East Florida newspaper campaign emphasizing the advantages of cession would be fruitful.⁹³

Governor Lewis not only favored the newspaper publicity, but also intervened in a state legislative contest in West Florida.⁹⁴ R. W. Cobb, an Alabama businessman who had lived many years in Pensacola, Lewis E. Parsons, former Alabama governor, and J. C. Goodloe were appointed by Lewis as commissioners to work in Florida for annexation.⁹⁵ Confidential negotiations at Tallahassee apparently convinced several prominent legislators that a vote of the people on annexation was

⁹⁰W. J. Purman to David P. Lewis, April 21, 1873, *ibid.*

⁹¹Lewis to Purman, April, 1873, *ibid.*

⁹²Purman to Lewis, May 12, 1873, *ibid.*

⁹³C. Gillis to R. W. Ruter, October 10, 1873, *ibid.*

⁹⁴Lewis to Lewis E. Parsons, J. C. Goodloe, and R. W. Cobb, October 20, 1873, *ibid.*

⁹⁵R. W. Cobb to Lewis, May 23, 1873, *ibid.*

unnecessary and that the legislature itself could complete the transaction if a majority of West Floridians favored it. It thus became imperative to have as many annexationists in the legislature as possible and especially to have a favorable West Florida delegation. Customs Collector Hiram Potter was the incumbent state senator from Escambia County. His rival was United States Marshal George E. Wentworth who was believed to be more favorable toward annexation. To have Wentworth replace Potter in the senate, Governor Lewis was induced to interfere in the Escambia County election.⁶⁶ R. W. Butler of Pensacola led the movement but Senator Jere Haralson and other Alabamians also campaigned against Potter. Having made such an issue of the election, Lewis was understandably disappointed when Potter was re-elected.⁶⁷ He tried to dissassociate the state of Alabama from Ruter and the Pensacola election, but the cause of annexation was severely damaged.

In 1874 Governor Lewis told the legislature that no further arrangements were contemplated for the annexation of West Florida.⁶⁸ The Alabama Constitution of 1875 prohibited the state from borrowing money for any purpose except to repel invasion and ended the lending of state credit to aid internal improvement companies. Since any purchase of territory would henceforth require an amendment to the Alabama constitution, another obstacle was added to the already complex process by which West Florida could be annexed. This ended the most serious effort to detach the Florida panhandle. Little was said about it for several years, but East Floridians began calling for removal of the state capital eastward from Tallahassee, while West Floridians often expressed dissatisfaction with the treatment received from the rest of the state. The West Florida railroad was finally completed in the early 1880s and Edward A. Perry of Pensacola was elected governor in 1884, but some West Floridians still complained that they were being slighted.

The annexation issue was revived again in 1889, although

⁶⁶R. W. Ruter to Lewis, n/d, 1873, *ibid.*

⁶⁷Lewis to Ruter, December 29, 1873; Bailey, "Alabama and West Florida," 231.

⁶⁸Alabama, *Senate Journal*, 1874-75, 8.

most observers refused to take the matter seriously. The Tallahassee *Floridian*, which was interested in retaining West Florida to prevent removal of the capital scoffed at "the chimerical scheme of ceding West Florida . . . [which] we have regarded as a huge joke" ⁹⁹ The Jacksonville *Times-Union* denied that annexation was "of sufficient importance to become a vital issue . . ." but used up several columns of space discussing it anyway. ¹⁰⁰ The Montgomery *Daily Advertiser* thought "Florida looks like a pistol. Annexation of West Florida would cut off the muzzle." ¹⁰¹ In a more serious vein, it observed that there were many obstacles to annexation and that the proper time to accomplish it was in 1819. Before the railroad was completed from Pensacola to the Apalachicola River, Pensacola citizens had to travel to the Florida capital through Montgomery. As distance to the capital diminished, so did the desire for annexation among West Floridians. ¹⁰²

Some Alabamians were as avid as ever for annexation, however. The Brewton *Standard Gauge* said "West Florida belongs by right to Alabama Renew the negotiations of fifteen years ago. East Florida will not oppose the scheme, as they want an orange state with the capital at Orlando." ¹⁰³ The Eufaula *Weekly Times and News* noted that West Floridians "want in," and urged Alabama to "accept them." ¹⁰⁴ In West Florida, both Pensacola newspapers favored annexation but the Milton *Clarion* opposed.

There was sufficient interest that an annexation convention was held at Chipley, Florida, on July 4. Six West Florida counties sent delegates, and there were scattered representatives from Alabama. ¹⁰⁵ But at the same time, a *Times-Union* survey indicated that except for some East Floridians, most influential state leaders opposed any cession of territory. United States

⁹⁹Tallahassee *Weekly Floridian*, June 18, 1889.

¹⁰⁰Jacksonville *Times-Union*, July 3, 1889.

¹⁰¹Montgomery *Daily Advertiser*, June 6, 1889.

¹⁰²*Ibid.*, July 4, 7, 1889.

¹⁰³Brewton *Standard Gauge*, January 17, 1889.

¹⁰⁴Eufaula *Weekly Times and News*, June 6, 1889.

¹⁰⁵Montgomery *Daily Advertiser*, July 7, 1889; Eufaula *Weekly Times and News*, June 6, 1889.

Senator Samuel Pasco of Jefferson County did not "favor dismemberment of Florida." House Speaker John L. Gaskins and Senate President J. B. Wall both opposed and Wall noted that "every section is now linked by railroads." W. K. Hyer of Pensacola opposed with the comment that "I am a Floridian by birth and propose to remain one." His Pensacola neighbor, Stephen R. Mallory, agreed. Former Acting Governor A. K. Allison of Quincy did not wish "such mutilation of our state." Former Governor George F. Drew thought "Florida is all right as it is" Jacksonville Mayor P. McQuaid said he would be "sorry to see West Florida go." Former Governor Harrison Reed, despite his 1873 offer to work for annexation, thought the "proposition to cede West Florida to Alabama is . . . preposterous." State Senator C. F. A. Bielby of Volusia County, State Senator O. B. Smith of St. Augustine, S. B. Hubbard, a prominent Jacksonville banker, and Jacksonville Postmaster H. W. Clark adopted the traditional East Florida position in favor of ceding the territory to Alabama.¹⁰⁶ A few Georgians expressed hope that West Florida would go to Alabama and that Georgia might then annex Middle Florida.

The Chipley convention was a failure and agitation for annexation subsided. Meetings were held on the same day in other Florida localities to oppose the change. The *Times Union* called the Chipley meeting "a complete Waterloo for the annexationists." The New Orleans *Picayune* suggested that "if West Florida does not wish to join Alabama, let Alabama become a part of Florida."¹⁰⁷ The annexation scheme was dormant for another decade.

Dissatisfaction among Pensacola citizens over what they deemed official neglect aroused Alabamians' hopes for annexation again in 1901. After years of discussion about removing Florida's capital from Tallahassee, Jacksonville boosters finally managed to obtain a popular referendum on the issue in 1900. Although East Florida's strength was diminished by competition between Jacksonville, Gainesville, and Ocala, the election posed a formidable threat to Tallahassee. Pensacola

¹⁰⁶ Jacksonville *Florida Times-Union*, July 3, 1889.

¹⁰⁷ *Ibid.*, July 7, 1889.

residents allied with Middle Florida and voted against changing the capital site. But during the campaign the long-standing West Florida feeling of isolation from the remainder of the state manifested itself in complaints of neglect and mistreatment of the panhandle section.

Reaction from other Florida localities was strong. One newspaper expressed surprise that anyone living in Florida could be dissatisfied and thought it "a mystery to be solved."¹⁰⁸ The Jacksonville *Times-Union and Citizen* denied that West Florida had been "contemptuously treated" by other people of the state and saw no reason why the section could expect better treatment from Alabama. It also failed to understand "why the city that lately gave us a Governor and has now a Federal Senator can claim want of political recognition."¹⁰⁹ The Tampa Times also deprecated the complaints and reminded West Florida that Pensacola harbor had received more aid than any other harbor on the entire Florida coast. Its depth of thirty-three feet of water on the bar at mean low tide had been accomplished through governmental aid. Complaints of neglect were, according to the *Times*, unjust to Florida's Congressional delegation.¹¹⁰

Still hoping to acquire the strip of sand between the 31st parallel and the Gulf of Mexico which separated its state from the seacoast, the Alabama legislature on March 4, 1901, resolved in favor of annexing West Florida and authorized the governor to appoint commissioners to confer with a Florida commission. The commissioners were "to do all necessary to perfect and consummate the agreement for cession," but their action was not binding until approved by the legislature and the governor. Governor William D. Jelks appointed William L. Martin, Richard C. Jones, and Samuel Blackwell to go to Florida.¹¹¹ The constitutional convention of 1901 even considered a proposal to provide in the new document authority to use state funds for the purchase. The convention reflected the conservative mood of the

¹⁰⁸ Jacksonville *Florida Times-Union and Citizen*, March 7, 1901.

¹⁰⁹ *Ibid.*, March 6, 1901. S. R. Mallory, Jr., was elected to the United States Senate in 1897.

¹¹⁰ *Ibid.*, March 5, 1901.

¹¹¹ *Code of Alabama*, 1907, Sections 80 and 81; Owen, *History of Alabama*, II, 1392.

electorate with respect to spending, however, and no such provision was made.¹¹² As a practical matter, the wealth and population of West Florida had increased by 1901 until a purchase agreement of the kind made in 1869 would have been extremely difficult even if the two states had desired one.

Despite the discontent voiced by some West Floridians in 1900-1901, there seems to have been little sentiment for joining Alabama. Most Florida newspapers opposed cession while denying that anyone was seriously considering it. Florida officials took no action and the Alabama commission was never officially organized. In a lengthy review of past efforts to annex West Florida, Francis G. Caffey told the Alabama State Bar Association in 1901 that "it is almost axiomatic in the history of this country that the feeling in favor of State integrity is so strong that no State will ever give up any part of its territory."¹¹³

The Alabama legislature continued to consider resolutions calling for negotiations to acquire West Florida during the 20th century, but few observers expected them to lead to action. As late as 1963, State Senator John M. Tyson of Mobile obtained a joint resolution to establish a committee to look into annexation. The committee was to contact the Florida officials, discuss the proposal and plans of completing the transfer, and report to the 1964 legislative session. An eight member committee headed by Senator Neil Metcalf was appointed in September. Although the committee met twice in February and March, 1964, it was never able to interest Florida authorities. Florida Governor Farris Bryant made jocular remarks about the issue at a February news conference. Pensacola officials voiced overwhelming opposition and a straw vote conducted by a local newspaper showed the public to be equally opposed to the idea of joining Alabama.¹¹⁴ Unable to interest the legislative committee or Alabama Governor George C. Wallace in pursuing the matter further, Senator Tyson visited West Florida alone in

¹¹²MacMillan, *Constitutional Development in Alabama*, 327-28, 344.

¹¹³Caffey, "Annexation of West Florida," 129.

¹¹⁴C. Peter Ripley, "Alabama's 1963 Attempt to Annex West Florida," *Apalachee*, 1967, 88-89.

late March, 1964, speaking to several civic groups about the advantages to be gained by its residents if the Florida panhandle joined Alabama. Most people took Tyson lightly and few doubted that he had any more serious motive than to attract attention to his forthcoming Congressional campaign.¹¹⁵

The West Florida annexation question emphasizes the extent to which the framers of American government succeeded in their determination to build into the system checks against hasty action. That it is much easier to prevent an act than to complete one in our legislative process is demonstrated by the failure of Alabamians and West Floridians to remove a political boundary that no one especially wanted at least during the first few years of its existence. But as Florida continued to exist as a single territory and then a state some people developed interests in keeping it that way. The early influence of Middle Florida and its vested interests in the *status quo* diminished the chances of annexation in the days before the single state tradition became strong. Tradition became one of the most compelling forces opposing separation. The idea of two separate Floridas diminished and people became accustomed to the state with its existing boundaries. Any suggested change was an affront to state pride.

As the population of Florida spread southward down the peninsula, section contention shifted. The old East and West sections gradually became North Florida opposed to South Florida. But this time the geographic division was mitigated by a concomitant awareness of differences between rural and urban interests.

Whether the substantive benefits anticipated by the proponents of annexation would have materialized is debatable. While it would have been somewhat simpler to furnish state aid to internal improvement projects within the boundaries of a single political division, the development of trade between Pensacola and interior Alabama was not seriously hampered by the failure to achieve annexation. Even though people continued for years to look toward the state government for most official

¹¹⁵*Ibid.*, 94.

actions affecting their lives, one of the major purposes of the Constitution of 1787 was to remove any political barriers to interstate trade. To the extent that political boundaries mattered, Pensacola was as accessible to Alabamians after 1821 as was Mobile. Indeed, Pensacola was gradually tied by rail to the interior of the United States through Alabama in the late 19th century and it was the national government which financed harbor improvements there.

In the 20th century the role of state governments has diminished markedly as national powers have expanded. Improved transportation and instant communications have reduced the significance of state boundaries. While many students of government argue that state governments and the federal system have outlived their usefulness there are concomitant efforts to strengthen them. While it is unlikely that the flow of power to Washington will be reversed significantly, it is all the more probable that any future efforts to change the Alabama-Florida boundary will fail. Any possible substantive advantages to the change have consistently diminished while tradition has strengthened the opposition to it.

EARLY CHRONICLES OF BARBOUR COUNTY

by

Green Beauchamp

(Editor's note—Since 1903 the Alabama Department of Archives and History has sought to secure a complete file of Green Beauchamp's "Early Chronicles of Barbour County," with the intention of reprinting them. The "Chronicles" were published serially in the *Eufaula Times* in 1873 and 1874. Unfortunately, no issues of the *Times* for those months have ever been located, but columns clipped from the papers were given to the Archives by the Beauchamp family. Even though Miss Anne Kendrick Walker indicated in *Backtracking in Barbour County* that a reprint had been completed, Dr. Thomas M. Owen, director of the Archives from 1901 to 1920, apparently abandoned the idea. Dr. Peter A. Brannon, late director of the Archives, also planned unsuccessfully to publish the extant articles in the *Alabama Historical Quarterly*. Continuing interest in Beauchamp's "Chronicles" and the uniqueness of the clippings in the files of the Archives have indicated that a republication is still in order.

While the incompleteness of the series is obvious, an effort has been made to arrange them in proper sequence. Numbers have been assigned to each article, and, where a date could be determined, it has been added to the number. Complete annotation was obviously not possible since many of the statements are based on Beauchamp's recollections and are otherwise not provable; therefore, no annotation has been attempted. Except for the most obvious typographical errors, all spellings and grammatical forms have been retained. As original historical essays the "Chronicles" have merit and are here reprinted with the intention of making generally available an important, yet hitherto restricted, segment of local history.

From information collected by the Archives it appears that Green Beauchamp was born in 1800, the son of Littleton Beauchamp, who served in the Maryland militia during the American Revolution. The elder Beauchamp settled in Baldwin County, Georgia, sometime after 1780, moving to Henry County, Ala-

bama, by 1819. His second son, Green, migrated with him and apparently moved freely about the new country during a long life, observing and noting mentally, at least, his observations. In 1836 and 1837 he served Barbour County in the State Legislature and was a member of the Constitutional Convention of 1865.

Green Beauchamp married Caroline Kennon of Ft. Gaines, Georgia, but had no children. What facts about his personal life Dr. Owen was able to discover were obtained from nieces and nephews, one of whom wrote in 1913 that Beauchamp was peculiarly sensitive about disclosing his age. For information that might be on his tombstone Dr. Owen sought vainly for years for Beauchamp's grave, said to be in a family cemetery near White Oak Station. In 1968 Mrs. Marie H. Godfrey located a cemetery off Alabama Highway 30 between Eufaula and Clayton in which a Green Beauchamp is buried. The tombstone states simply, "Green Beauchamp/died 1883").

I

[Undated]

Those who expect connection and historical stateliness in these memoirs will be disappointed. They are merely the attempt to rescue from oblivion recollections that ought not to perish.

Mr. Green Beauchamp was one of the earliest settlers in this county. In 1818 he crossed the Chattahoochee at Fort Gaines, in a flat, and settled on what is now the Wingate plantation in Henry county. There were, he assures us, not a hundred white people in the whole country which now makes eight counties, to-wit:

Covington, Crenshaw, Pike, Dale, Coffee, Geneva, Henry and Barbour. All that was then Henry. He was clerk of the first county court held for this vast county. He was present at the first circuit court held for the county. It was in 1818, and presided over by Judge Reuben Saffold. There being no court

house, it was held in the dwelling house of John G. Morgan, the sheriff. A. B. Mathews was the clerk of the circuit court, having been elected over Whitman Owens, Esq., an honored citizen of Henry county, who still survives. Senator Benj. Fitzpatrick was the solicitor. Mr. Towns, afterwards Governor of Georgia, and who lived in Montgomery, was present, also Hon. Sam'l E. Oliver. The next term was held at Richmond, which was established as the county site. There was no saw mill in the county. Such a thing as a plank was of course unknown, and all houses, as of course this court house, were built of logs. The only store was at John G. Morgan's, also the only blacksmith shop. The only grist mill was just below Franklin, on what is now the Columbia road, and on the very site of the mill that grinds there now. Green Beauchamp the next year helped dig out the rock and peck the hole through it and prepare it for mill stones for the second grist mill in the county. The stone answered the purpose and ground their corn. The mill was on the stream which is crossed by the natural bridge in going to Columbia, and was put up in 1819. Green Beauchamp afterward sold these mill rocks to Joe Davis for \$30. A Mr. Sutlive came over from Georgia and peddled his goods, to the great convenience of the people. The Indians called him Chofy hajo. The only ferry on the Chattahoochee was at Fort Gaines, where a company of United States troops were stationed.

II

[Undated]

One or two errors crept into our first article. The first circuit court was not held as early as 1818, which was before the admission of the State. An again, Mr. Sutlive, the Chofeehajo of the Indians, did not peddle goods in Alabama. He had a store at Fort Gaines and brought his goods in a peddler's wagon from the Ocmulgee river to the Chattahoochee, across the wilderness which then lay between those rivers. Jared Patterson, Col. Robt. Irvin, Moses Weems, Pius Chambers, Ned Cox, Mr. Nall, Levi B. Smith and Wm. Hardridge, and a few others whose names cannot be recalled, were here in 1818. Hardridge lived among the Indians at Chitteecknee town. Mr. John White-

hurst, a highly respected citizen now living at Lawrenceville, and his brother Pillitier, came in soon after. Mr. John Whitehurst, one of the few survivors of these early settlers, has lived his four score years and more.

The country was rapidly settled up after the admission of the State in 1819. The first road was the one leading from Franklin through Williamston to Louisville. It was never regularly cut out and established as public roads are now a days. It was first only a trail, and very crooked; but was widened and straitened [sic] as civilization advanced. There was four or five years afterwards a weekly horse mail from Sparta, Conecuh county, through Louisville and Williamston, to Franklin, and this was the first mail route ever established in the country. Mr. Bartly C. Williams was the first postmaster at Williamston, and Mr. Beauchamp the second. The only post offices were at those three places. Hon. James L. Pugh, when a boy, rode this mail from Louisville to Franklin. There was an Indian town on Chattahoochee, just above Prospect Bluff, called Chitteeocknee town. We believe Onushajo was the chief of this town. On the opposite side of the river was a town called Perryman's town, inhabited by some half breeds-Indian and mulatto-who could speak English.

III

[Undated]

The first circuit court for Barbour county, was held at Louisville and convened on the 4th Monday (25th) in March, 1833, Hon. Anderson Crenshaw, judge of the sixth judicial circuit, presiding. Harrell Hobdy was sheriff, and most probably Thomas Pugh clerk. The grand jury was composed of Henry Faulk, jr., foreman; Noah A. Tyson, William Bennett, Richard Head, jr., Zackariah Buch, William McRae, James Faulk, Henry Faulk, sr., William Head, Thomas Cavanaugh, John F. David, Starling Johnson, Miles McInnis. Daniel M. Dansby. Duncan McRae and Stephen Lee. Robert Teal was the constable sworn to attend them. These have all passed away except William McRae and Miles McInnis. There were but three bills found — one for

malicious mischief and two for assault and battery. Most of the minute entries are in the unmistakeable hand writing of Senator George Goldthwaite.

On the 4th Monday in September (23) 1833, the circuit court for Barbour County commenced at Louisville, Hon. Horatio G. Perry presiding as judge, Harrell Hobdy, Esq., being sheriff. We have been unable to ascertain the clerk's name, but think it was Thomas Pugh. When the following order was made: "Ordered, that this court be adjourned to the town of Clayton in said county, the place selected by the commissioners of said county as the permanent seat of justice. They, the commissioners, having certifyd [sic] to this court that a suitable house is prepared, and to meet at ten o'clock tomorrow." The next entry is "Clayton, Tuesday, September 24, 1833. The judge not attending, court adjourned till tomorrow ten o'clock." "Wednesday, three o'clock, September 25. The judge not appearing, the sheriff of Barbour county adjourned the court until court in coarse."

The first circuit court every held at Clayton commenced on the 4th Monday in March, 1834, Hon. Anderson Crenshaw presiding, Harrell Hobdy sheriff, and probably Thomas Pugh clerk. The following was the first grand jury: William Beauchamp, foreman; Aerial Jones, John McInnis, Henry Bizzell, Joel Winslett, Daniel McLane, Benjamin D. Sellars, Thomas Warren, Hope H. Williams, Seaborn Jones, Ezekiel Wise, Ivy Cadenhead and Aaron Burlison. Cary Motes was their bailiff. All these, including the judge, are dead and gone, except Ezekiel Wise, a highly respected citizen, who still survives. The judgment entries on the minutes are almost all in the hand writing either of George Goldthwaite or Jefferson Buford. The first civil case that ever went on the docket marked No. 1 was that of Duncan McRae vs John McInnis, an appeal. It was continued from term to term and not decided till 28th September, 1835. In this first court held at Clayton ninety-five judgements were taken on Monday the first day. The court adjourned on Thursday.

The "suitable house," mentioned in the order at Louisville, was about twenty feet square made of round pine logs unharmed by any broad axe. There was one small opening for a window,

and one door in the southeast end. This primeval temple of justice sat cornerwise to those lines on which such important edifices are commonly erected, being neither north, south, east or west. It was located about where the rear of Mr. C. C. Green's store is now. Thomas Warren, in the summer of 1833, superintended the building, and Ryan Bennett helped get the four foot oak boards that covered it, out of a tree near the little branch that runs through the fair grounds. It was not quite equal to our present court house, yet it was "suitable" to those simple times in our country now forty years ago, and the pleadings which were read in that humble house at Clayton were made up by men whose talents and character have adorned our history; and tribunal of justice there was presided over by a judge whose learning and integrity cause his name and memory to be revered by every Alabamian who appreciates the value of such attributes in judicial character.

IV

[May 23, 1873]

Rev. Joseph Harley was the first man that ever preached the gospel in this country. He was a Methodist. We wish we could give some further account of one whose voice was heard "crying in the wilderness," but we have been unable to obtain any further information. Perhaps some reader may yet furnish it. The first church was on the Attabbee, on the old Columbia road, near where Mr. Thomas Robinson now lives.

Mr. John Bartley is said to have been the first man who ever taught a school in the country. We make these statements, in respect to Mr. Harley, and Mr. Bartley upon the information of Mr. Green Beauchamp and Mr. John Whitehurst. The latter was eighty years old on the 10th of March last. He emigrated from Twiggs county, Georgia, and settled on the Choctawatchee river, in what is now Dale county, on the 6th of January, 1819. There was then a block house on the west side of the river, erected there by Jackson's army, and the settlement was known as the block house settlement. The block house stood for many years after Samuel Walden and Pillitier Whitehurst, brother of

John, came together, and they were for some time the only people in that part of the county, except one Ellison, who preceded them but a few days. There was a sunken flat in the river, which had been used by Jackson's army in crossing to or from Pensacola. This flat Ellison had already raised, when the Whitehursts and Walden arrived, and it was used for many years after in crossing the river. Ellison remained in the country only about a year.

In 1826 the people undertook to cut a road from about where Mr. Matthew Fenn now lives to Eufaula. About three hundred men black and white got together for the purpose. John Purifoy, who married a sister of Hon. Judge S. Williams, was the overseer. Luke Bennett's son, Ryan, a well known and highly respected citizen now living among us, was of the party, although not then old enough to be liable to road duty. Allen V. Robinson, who has taught three generations of us, "how to dance," and who can do it yet about as well as ever, was also with this company of engineers. They worked along merrily and without interruption, cutting what is now the road from Eufaula to Clayton, till they got to the Barbour creek. It was called the Baba then, which was seven years before the county got its name; but, as we stated heretofore, that was an abbreviation of the Indian name, Faukababa, meaning grape vine creek. The working party struck the creek about fifty yards below where the upper bridge now stands. They dug down the bank on the other side and some blacks, and a few of the whites crossed over; among the latter, Noah A. Tyson and Peleg Green. They had barely got across when suddenly a frightful yell arose on this side of the creek. That yell, or war whoop some say it was, came from more than a thousand hostile Indians hitherto concealed in the level pine woods, where Rev. Mr. Reeves plantation now is. Those who had crossed over evidently thought it was the latter kind of vocal exercise on the part of the aborigines, for it is said they promptly made good time in placing themselves on the Clayton side of Faukababa. Peleg boiled out of the creek gesticulating wildly, and rushing up the bank, undertook an explanation to the astonished pioneers. But Peleg was a stutterer; and on this occasion he is said to have excelled himself in that sort of elocution. His gestures were highly animated and expressive, but as to articulation, he seemed unable to do justice to the sub-

ject, and, after five or six most energetic efforts, he just gave it up and made no spoken remarks at all. Some of the whites, however, desiring to see as well as hear, crossed over and found the piney woods swarming with highly excited Indians, armed with guns and tomahawks. They were yelling, jumping the logs, and capering about in a very unpleasant manner altogether. It seemed impossible to prevent their attacking some blacks of our party who, somehow hemmed up on this side, had their axes drawn to defend themselves. Suddenly however a chief spoke and the Indians subsided in an instant and were as mute as mice. The Linksters (Indian interpreters) then came forward from their party and said that John Winslett (a white man who lived among them near the Uchee creek) had told them that we were going to cut that road to their Eufaula town, that they did not like it—that it should not be done—and that we must come no further unless we could show an order from the Great Father at Washington city. That order the whites could not produce; and, as they had neither guns nor tomahawks about them, and had come out not to fight but to work the roads, they concluded to withdraw. So, after one bold fellow on our side, a man named Martin Johnston, had mounted a log and indulged himself in some protracted and stentorian profanity in respect to the President, mankind in general, and Indians in particular, the whites picked up their tools and retired in disgust, expressing on their way home, no very complimentary opinions of either the enterprise or the sociability of the then inhabitants of this fair city.

Soon after this a lieutenant from Fort Mitchell, where was then a garrison of United States troops, came down and had a talk with these Eufaulians—told them the road would benefit instead of injuring them, bringing goods into their country, etc. etc. The Indians became reconciled. Their hostility was changed to co-operation, and they joined the white party when it returned to work, helped them to fix the ford on the Baba and cut the road into Eufaula town.

V

[May 24, 1873]

In 1817 there was an Indian disturbance on this and the

other side of the river, and the people hurried into the fort at Fort Gaines. Some were killed on the Georgia side, who were buried ten or twelve miles northeast of Fort Gaines. One man on this side named Keith, being a little tardy in getting in, was killed in an Indian house, on what is now the Jim Bennett plantation in Henry county. Mr. John L. Williams, a highly respected citizen of this county, gives us this information. He, then but a boy, was in the fort at the time, having come from the Georgia side. The garrison was then commanded by Lieut. Sands, a one armed officer. A party of soldiers crossed into Alabama and went down the river scouting. They came upon Keith, mortally wounded, and carried him to Fort Gaines, where he lived but a few hours and was buried. Mr. Williams saw him breathe his last. All the settlers on the Alabama side went into the fort, and the country over here was depopulated of whites; The men were mustered into service, and they and their families drew rations from the government. After some months, quiet was restored and the settlers returned to their abandoned homes.

It may interest some to know that in the duel between Crowder and Fannin mentioned heretofore—the first affair of that sort in this country—Jo Reed was the second of Crowder, and Col. Irvin that of Fannin. Braddock Williams, a brother of John L. was on the ground and witnessed the affair.

Williamston

Was settled in 1820. In that year William Williams, father of John L. Williams, William Bush, Jared Williams, a Mr. Copeland and John Danner came in and settled there. These were the first settlers. Danner was a German, a blacksmith and put up the first blacksmith shop in Barbour county. He was an industrious and useful man. Others come in soon after. The place took its name from the fact that a good many Williamses were settled there. William Williams put up the first cotton gin in this county.

The first steamboat that ever navigated the Chattahoochee was "The Fanny," a high pressure boat. She landed at Apalachi-

ola in 1826, and made a trip up the river.

In 1827 there was a sort of a famine among the Indians. They were about to starve. Some of their chiefs, among them Onushajo, chief of Oakeeknee town (which, by the way, was the name of the town at Prospect Bluff, instead of Chitteesknee), and Tustenughajo, from Eufaula town, came to Green Beauchamp's store at Williamston, representing to Mr. B. their necessities, and tried to buy corn. They said their people were suffering, but they had no means to pay, except by giving an order on Col. John Crowell, the Indian agent at Fort Mitchell. Mr. Beauchamp agreed to risk it and made a bargain with the chiefs to let them have one thousand bushels of corn. In a few days, about three hundred Indians came on foot, and on Ponies, and packed off the corn. Beauchamp then rode horseback from Williamston for Fort Mitchell and presented the order to Col. Crowell who accepted it in writing, but had no money to pay it then. Mr. Beauchamp returned and sold the order to Hardridge, who had an Indian family and lived with the Indians at Oakeeknee town. Mr. Beauchamp got some money and a negro woman and child for the order. The negro woman is still living and remains with her former master. Mr. Hardridge is said to have been an honorable and hospitable man. He treated one well who went to his home, but his Indian family never appeared at the table.

VI

[June 5, 1873]

The Indians

Our friend, Green Beauchamp, Esq. furnishes us with the following interesting account of some of the habits and customs of the aboriginal inhabitants of our county. He witnessed in 1812, at Oakeeknee town, a

Green Corn Dance

There was no particular day set apart for this festival. It was an annual one, and celebrated as soon as the new corn

crop was fit to be used in roasting ear; which of course in this country was usually not before July. The place selected on this occasion was about two hundred yards from the Chatahoochee river. The ground was swept off clean, a circle of about thirty yards in diameter made, and a skinned pole, about twenty feet high, set up in the centre. The Indians, men, women and children in their best clothes, and what whites were present, stood about talking and laughing as at any other gathering for pleasure. Presently the young men and warriors quietly disappeared from the crowd. After a little there was heard from many sides around, a whoop or yell, such as only an Indian can make. This was answered from all part of the campus. The young men and warriors then reappeared and advanced, occasionally yelling or whooping. When in full view of the spectators they commenced some unaccountable and indescribable gymnastics. They were stripped now to the breech clout, and painted from head to foot with stripes and spots. After they got through with their capering they made a rush for the crowd, coming in from all directions; and when they reached it, without making any stop, moved rapidly off in Indian file to the river, and all jumped in. They soon returned, with the paint washed off and in their usual dress. Dinner was then eaten. It consisted of green corn, cooked in different ways and served in earthen vessels of different sizes, and also of dried beef and venison, which was prepared by being picked to pieces very fine in shreds, they resembled cut tobacco. It was however extremely nice and palatable. The food was served in earthen vessels shaped like a pumpkin or rather like an egg, being larger in the middle than at the top. Some were of the capacity of two gallons. The dinner table was a kind of scaffold. There were neither cups nor saucers, plates, knives nor forks, but an abundance of wooden spoons with which the green corn was eaten. The meat was taken with the fingers. No ardent spirits of any kind, and no beverage but water. At dinner, which was eaten about 1 o'clock, as well as during all the day, the whites who were present were treated by the Indians with the greatest kindness and attention.

After the feast was over, the show commenced. The spectators sat round on the edge of the circle, the inner space being kept clear as at a circus. The dancers, perhaps as many as

a hundred men and women, then entered the ring. There was no instrumental music, but much vocal, consisting of Indian songs rather rapidly ejaculated, and in which all the performers participated together. The songs were lively, but the faces of the singers at all times immoveably solemn and in earnest. The men dancers had a bunch, about the size of a peck of high land terrapin shells fastened to their backs just behind the hips, and these were so united as to hold shot or something else that incontinently rattled. The squaws had something equally capable of clatter, but whatever that was, was concealed beneath their dress. They would then dance round the centre pole, singing together, and with a step so regular and a time so perfect, that the noise of what hissed or rattled in their shells sounded like the escape pipe of a rapidly puffing steam engine.

Our informant, having spent a most pleasant day in the forest fifty years ago, with these children of the wilderness, then left them at a late hour in the evening, and knows not how long the amusements were protracted, not with what ceremonies they were brought to a conclusion.

VII

[June 14, 1873]

Attorneys at Law

James H. Smith and D. W. R. McRae were the first attorneys at law that settled in Henry county. They settled there about the year 1821. Smith was from North Carolina, and boarded in the family of Stephen Mathews, near Morgan's store where the first court was held. Smith did not remain in the county more than fifteen or eighteen months, when he returned to North Carolina, his former home. McRae was from St. Stephens, in the western part of the State, on the Tombigee river. While in Henry, he boarded in the family of the Rev. Angus McDaniel, in the lower part of the county, near where Gordon now is, McRae remained in the county about two years, and returned to St. Stephens. Mosly Baker was the next. He came

from Montgomery and boarded in the family of Stephen Mathews. He remained in the county but a short time, and returned to Montgomery. William Williamson was the next, and came about 1823. He was from this State somewhere near Selma. He settled at Attaway's store, the place that is now known as Old Columbia. E. M. Attaway was the founder of Columbia, and died there. Williamson was in the county about twelve months and unfortunately got into an altercation with Mr. Smith a most clever and amiable gentleman, who lost his life. Smith was a brother of the Hon. Thos T. Smith, who lives in Henry county. Williamson ran away and made his escape to Texas. Soon after he went there he became a politician and took an active part in the Texas revolution. There is a county in Texas named after him. He was a lame man, one leg being so much deformed that he had to wear a wooden one. "When I was in Texas," our informant writes us, "some seventeen or eighteen years ago, I enquired after him and heard that he lived in the town of Independence, in Washington county, where I had stayed the night before. I did not get to see him. They called him "Three legged Willie." They told me some anecdotes about him. When his opponents would push him hard and call him a murderer and other hard names, his reply would be that he never had killed but three men that he got. I have learned that he died a few years after I was there."

Physicians

The first resident physicians in Henry county were Thomas Sharp, Robert Scott and George Sargent. Dr. Sharp lived and practiced in the neighborhood where Thomas Robinson now lives. Dr. Scott in the lower part of the county, and Dr. Sargent at Attaway's store near Columbia. They were all here as early as 1823.

Ministers of the Gospel

Joseph Harley, and Angus McDaniel of the Methodist, and Jeremiah Kemball of the Baptist denomination, were the first preachers that settled in the county. Mr. Harley died near Tallahassee, the other two in Henry county.

Campmeetings

The first campmeeting was held in Henry county in 1823. It was held about eight miles above Columbia, in the neighborhood where Thomas Robinson now lives. A good many people from Florida were there.

Associations

The first was held about a mile below Columbia, on the Amassee creek.

Rev. John J. Triggs was the first missionary preacher that ever traveled in South eastern Alabama. Triggs was an Englishman. Rev. John Slade was the next. They were both of the Methodist denomination and were here in 1821-2.

VIII

[June 15, 1873]

Our Position with the Creek Indians

from 1814 to 1836

In accordance with a treaty of peace entered into between Gen. Jackson and the Creek Indians, on the 10th of August, 1814, the line was run from Fort Gaines, bearing north 45° west true meridian, called the old boundary line. It intersected Line Creek, in the present county of Bullock, and divided the county of Barbour as at present bounded into two nearly equal parts. By the treaty of [Fort Jackson] the Indians were to remain north of this line and east of the Coosa river. The country south of the boundary line was not immediately settled up by the whites, owing to the fact that it was but a narrow strip between the Creeks on the north and the Seminoles on the south, the latter of whom were still hostile to the United States, and were backed secretly by the Spaniards of Florida, and openly by the English, through the connivance of the Spanish officers. The close of the British war in 1815, and the Seminole war in 1817, having made this country safe from the invasions of the

Indians, pioneers began to enter the new territory. The country was beautiful and the land productive—combining, probably, as many of the elements of a good country, as any in the world. In consequence, its settlement was rapid, and in a few years the habitations of civilized white men appeared on every hilltop.

By the year 1836 the whites had become so numerous that they had about lost their fear of the Indians, and were consequently less disposed to respect any of the rights of their red neighbors. Many of the first settlers had come here for the purpose of trading with the Indians. The most successful of these had succeeded in buying a considerable quantity of the best lands of the reservations from them for a mere song. Seeing themselves gradually being swindled out of their hunting grounds, without a chance of redress, except within themselves, they became restless and irritable. The whites, confident of their strength, ceased to recognise the virtue of fort-town on the Chattahoochee river. The result of this was the bearance. The Creek war of 1836 was the consequence, inaugurated in this part of the State by the burning of Roanoke, a removal of the entire body of Creek Indians from the State. Some of these escaped during the progress of the war to the Seminoles in Florida, and the remainder at its close were sent to the Indian reservation in the west.

IX

[June 15, 1873]

Battle at Hobdy's Bridge

During the progress of the Creek war of 1836, the people in the southern part of the present county of Barbour, being constantly exposed to sudden attacks from the Indians, kept scouts riding over that country lying on Dry creek which empties into Pea river, and Cowikee creek which empties into Chattahoochee river; this seeming to be assumed as a neutral territory between the whites and Indians. These scouts were taken

from the militia or home guard, and those not on this duty held themselves in readiness to fly to their arms and meet the Indians whenever the scouts should report them as approaching.

In February 1836, a body of about seventy-five warriors were reported near where Anglin's bridge now is, coming cautiously down the river with their women and children. The militia in the neighborhood of Louisville, were called together under the command of Col. Jack Cooper, and scouts sent back to watch the Indians. They were moving down the swamp near the run of the river, the ground being more firm there than nearer the margin of the swamp. Col. Cooper went in camp near the residence of Harrel Hobdy just on the Pike side of the river, and soon after the Indians were discovered in camp, in the swamp opposite, and about two hundred yards above the confluence of Pea creek and Pea river. Their position was first indicated by the smoke of their encampment and afterwards by their noise, they not seeming to be at all uneasy as to their situation.

Next morning, Col. Cooper had his men up early getting breakfast and preparing their arms, the camp presenting a busy scene of preparation until after sunrise. There were one hundred and fifty men present. When they had eaten their breakfast and everything was ready, fifty men were sent to cross the river near the upper edge of the Hobdy place and come down on the Indians from the rear. They were put under the command of a man by the name of Head, an old frontiersman, and one who claimed to be well skilled in all of the arts of Indian warfare.

When the sun was about an hour high, Col. Cooper entered the swamp with his command of one hundred men. He went along the road until he arrived near the present western end of the bridge known as Hobdy's Bridge. Here he turned to the left and going about a hundred yards crossed the river on a log. After all had got across, observing as strict silence in the meanwhile as possible, the men were formed in line in two ranks. Three men were sent forward as videttes. When they had attained to the distance of seventy-five yards, the main line was ordered to forward, and the small band of one hun-

dred men, new to such scenes, cheerfully set forward to encounter an almost equal number of men nurtured from their infancy in the atmosphere of battle, and holding every advantage of position. It was afterwards discovered that the Indians had encamped near two large white oak logs, which, growing near together, in falling had fallen in opposite directions—making a splendid line of breastworks two or three hundred feet in length. To these they resorted on discovering the near approach of the whites. On arriving in one hundred yards of this natural breastwork, one of the videttes saw an Indian and fired, and each of the three protected themselves with a tree. The Indians fired no shot in return. Col. Cooper halted the main body at the firing of the vidette, but no answering shot coming from the Indians, curiosity impelled the men to go forward to see what had been the cause of the shot. About the time the main body reached the position of the videttes the Indians opened fire. With a yell and without ever stopping, the whites charged the Indians clear out of their breastworks and camp without a man having been wounded, and many of them hardly knowing that they were in a charge. There was a rich booty of articles, stolen or plundered from different parties, in the camp; but the victors were not after plunder. As soon as the men could be got in shape, they followed after the retreating Indians. Two hundred and fifty yards up the river they overtook them crossing a lagoon; some had crossed, others were crossing. The fight was renewed. The Indians, having recovered from their panic, and having a lagoon between them and the whites, fought much better. They shot nails altogether from their muskets, and these making a very loud, unearthly noise, rather demoralized the whites for a few minutes. For fifteen minutes the firing was pretty constant along the lagoon for two hundred yards. Soon word was passed down the line for Dr. Heron to come up the line to see Harrel Hobdy who was wounded. The doctor, who in the meantime had been using his gun to the very best advantage, immediately repaired to the point designated and found Mr. Hobdy behind a large tree with a flesh wound in the thigh, but, as it happened, not from a nail.

Seeing they could gain no possible advantage in a sharp-shooting fight and those sent above under Head not having

yet made an appearance, the word was given to charge. Into the lagoon they plunged. On rising the opposite bank, they raised a yell and went right into the midst of the Indians. This was too much for them. They immediately began a hasty retreat, and the whites were unable to engage them again. Cooper was wounded in the last charge, making the total casualties on the part of the whites two wounded, none killed.

The Indians were not dispersed, but retreated down the river as rapidly as possible in a body, having lost their camp equipage, ponies and numberless articles they had plundered from whites who had been living on their reservations. Among other things in their possession was a quantity of calico and other articles taken from a store which had been plundered and burnt near where the present town of Midway is, the possession of which gave evidence that they were the same band that had whipped out Wellborn's command up in that neighborhood a few days before.

The same band were intercepted and again defeated by the Dale militia near Black's mill; at which point they left the swamp, and took to the hills, finally making their escape into Florida. Of this second battle and escape, if we can obtain sufficient information, we will give an account hereafter.

To return to the detachment, sent under Head to cross above and come down in rear of the Indians. They did finally until they arrived at the thick swamp, near the bank of the river, at which point Head decided that it was dangerous for them to go further. Said he was well acquainted with Indian habits, and they would not ask a better thing than to massacre the whole of them in that thick swamp. For some time, being the commander, Head's decision was adopted. Finally, Hart Ball stepped forward and called on all those who would to with him, according to the original plans, to step out and join him. About ten men did so, and they immediately crossed and started down on the east side, but owing to the delay, arrived at the scene of the engagement too late to take part in it, but not too late to share the honor of the victory.

X

[June 22, 1873]

Wellborn's Pea River Battle

From the fact that the squad of Indians, fought by Cooper's company of Louisville militia, exhibited such a determination to reach Florida, and from other facts, it was believed throughout the county in the spring of 1837 that all the Creek Indians intended to join the Seminoles. The Creeks were satisfied that they could only make peace with the whites by being removed to a reservation in the Indian Territory, beyond the Mississippi. But they further believed if they could join Billy Bowlegs in the everglades of Florida, they would be secure from further molestation by the United States. In consequence of the knowledge among the whites of this attended [sic] attempt by the Indians to cross into Florida, there was a general feeling of uneasiness from Pea river to the Chattahoochee, each settlement not knowing but that it might be in the line of the exodus. As a means of mutual protection a fort was built on the hills south of Beauchamps' mill, to which the neighbors all restored at night, and at every alarm (and there were a great many amusing incidents from those alarms some of which may hereafter be recorded in these memoirs). Other arrangements were made in diffrent parts of th county for protection from the expected visitation. Scouts were constantly kept out between the settlements and the Indians.

About the 10th of March, a considerable band of them under the leadership of Enotichopka were discovered near the intersection of Dry creek and Pea river, traveling very much as the band which Cooper had encountered six weeks before. There were supposed to be two hundred warriors and about the same number of women and children. Supposing they had left all the United States troops behind them they were not afraid of any serious opposition from the whites. The alarm was sounded however, and all the volunteer companies in reach were called on to assist in driving them back. Successive reports of the burning of different dwellings near Pea river, commencing near Anglin's bridge and extending down toward

Hobdy's bridge, sufficiently revealed the direction which they were taking. Enotichopka's progress was discernable at a distance by the conflagrations of the dwellings near his line of march, just as his more christian imitator, William Tecumseh Sherman, illuminated his march through Georgia and South Carolina.

In two days three companies were in camp near Hobdy's bridge. Capt. Jeff. Buford's company from Pike, camped near H. Hobdy's on the west side of the river, Capt. Wm. Wellborn's company, from Barbour, and Capt. Morrison's company from Georgia, camped on the Barbour or east side of the river. Beside these, there were forty or fifty men unorganized citizens of the surrounding country, present, with the intention of taking part in the expected conflict. In all, there were two hundred and fifty men. Scouts sent out reported the Indians encamped about two miles above the confluence of Pea creek, and Pea river, near the run of the river, and in the present platation of Matthew Fenn. High water from recent rains had impeded their progress. They were encamped on an island in the swamp, and it was impossible to get to them without wading.

A council of war was held. It was agreed that Captain Buford should make the first attack, on the Pike side, and should try to draw the Indians out of their camp, which was supposed to be fortified, and while the warriors were following up Buford, believing they were driving the whole force, Wellborn, with the remainder of the force, was to attack and capture the camp, containing the old men and women and children, and then the two commands proceed to annihilate the warriors. It was splendidly planned, could not have been better; and although the result was very much as desired, the details did not occur according to arrangement.

Early in the morning Captain Buford left his camp near Harrel Hobdy's place, with eighty men well trained in the use of firearms. About eight o'clock he arrived opposite the Indian camp. He dismounted and formed his men on foot, leaving a few with the horses to guard them. The loud talking of the Indians, and the barking of their dogs, could now be distinctly heard by the men. Deployed as skirmishers, the command

moved forward through mud and water frequently to their waists, every man resolved to do his duty.

The Indians seem to have become aware of the intended attack. Before reaching the run of the river firing began, and soon became very rapid. After making a respectable stand, Buford, according to the programme, ordered his men to fall back slowly. The men at first obeyed his order and acted finely for about a hundred yards, firing and falling back to the next tree. They began to move faster, and a little faster, until they reached the edge of the swamp, notwithstanding every effort of their brave commander, their retreat had become a complete stampede, two hundred Indians yelling at their heels. Some did not take time to get their horses, but kept in the thickets next the swamp, running for life. Some of those who got on their horses ran them to Monticello, eight miles distant, and still felt unsafe. The Indians pursued about two miles. There was one casualty only. Occhee Bill Davis, not being able to keep silent drew the fire to himself, and received a ball in the mouth. That Indian shot well at a noise.

In the meantime, Captain Wellborn was preparing to perform his part of the programme. He left his camp early, but was compelled to go up to the mill (now King's mill) to cross. He left a detachment of twenty men at the bridge, to prevent the Indians from escaping down the river. Owing to the circuitous route which had been compelled to take, he arrived at the camp on the east side too late, and after the most favorable opportunity had passed. Most of the warriors had already returned from the pursuit of Buford's retreating force.

Wellborn dismounted his men, and hurriedly formed them, with his company in the centre, Morris' company on the right, and the citizens on the left. They were deployed, and the advance began. As before stated, the swamp was overflowed, and as soon as the whites entered it they were compelled to wade, and water being waist deep in most places, though generally about knee deep. When the line arrived within two hundred yards of the camp, the Indians opened fire. The centre protected themselves with trees and returned the fire, shooting at the noise and smoke, in the absence [sic] of any visible object.

The right and left wings, not having anything to oppose them, continued to advance, until they arrived near the run of the river—the one above and the other below the camp, thus enclosing it with a semicircle. The whole line was then ordered to charge, which they did in splendid style, capturing the camp and its entire contents, with the loss of only two men killed, Bradly and Wellborn, the captain's son; and two wounded, Hartwell Ball, one of the volunteer citizens; and one of Captain Morris' company, name not remembered. B. F. Dennis had on an Indian shot-bag, and to prevent its getting wet, had it thrown over his shoulder, and suspended against his breast. A ball struck this and knocked Frank down, and for several moments he was satisfied that he was perforated by a rifle ball. He jumped up, however, exclaiming, "did you see that?" and went gallantly forward with the rest. He has often been heard to remark that he could feel distinctly the point at which the ball came out on the opposite side.

For some time after the capture of the camp an indiscriminate slaughter of women, children, old men and warriors ensued. The killed were estimated at one hundred and fifty, though the number was never known accurately. Some were killed in the river and the bodies of others thrown in, so that no reliable count could be made. No warriors were made prisoners. The women and children captured were made slaves by the captors. We can all remember seeing some of them, and indeed one or two of them remain amongst us even to the present day. There is one, we believe, still living in Eufaula.

The band was completely broken up. No subsequent effort to collect the scattered remnants was ever discovered. Several individual stragglers were from time to time found by the whites and killed, within a few weeks afterwards. It was supposed that very few, if any of them ever made their way to Florida. The disastrous result of this attempt to reach the Seminoles made it the last by that route. Soon afterwards they permitted themselves to be removed to the hunting grounds set apart for them beyond the Mississippi, in the Indian Territory.

XI

[June 29, 1873]

We are very much obliged to our friend Green Beauchamp, Esq., for the following interesting letter relative to the auld land syne of this country:

SAILING VESSELS ASCENDING CHATTAHOOCHEE
RIVER.

Capt. John Logarthy, an Italian, commanded the first sailing vessel, a small schooner, that ascended the Chattahoochee, whose name is not recollected. He and his comrades came upon a treaty expedition. They brought with them such articles as were suitable for a new country, sugar, coffee, salt, tobacco, etc and retailed them out to the people on both sides of the river, at reasonable prices, which was quite a convenience at that time. They ascended the river as high up as Howard's landing, ten or twelve miles above Columbia. The captain was unfortunate. On his return trip, before he got beyond the limits of Henry county, he was charged with killing one of his men, was arrested and delivered over to Sheriff Morgan, for safe keeping until court. There was no prison house at that time in the county, and the sheriff had to shackle him and keep him as best he could, he let him hobble about the yard and kept a watch over him. One day while the prisoner was hobbling about with chains he unfortunately came in contact with a vicious cow, that made battle, much to the horror and consternation of the sea captain, who declared that he would rather be in twenty storms, at sea, than encounter a mad cow and be in chains. The captain was however not much injured, but frightened out of his senses. Court came on and no prosecutor appeared, and he was set at liberty. The affair however pretty much ruined him pecuniarily. The writer saw him many years after that, running a little barge from Apalachicola up the Chippola river to Marianna.

There were other small sailing crafts that came up Chattahoochee after that, trading like the first. Daniel Pynes father of the Hon. James Pynes, was one of the early settlers in the

neighborhood of Gordon, Henry County. He was not only a good citizen, but a good mechanic. He was the first man that ever manufactured hats in that county, which was a great convenience to the early settlers.

Simon Smith was another early settler in the neighborhood of Gordon. If he did not have cattle on a thousand hills, he came as near having a thousand head as any man in that county. He was one of the most benevolent and charitable men the writer ever knew. There is no doubt he supplied more people with bread without a prospect of reward, than all the people in the county, put together. Benjamin Lewis was an early settler in the neighborhood of Columbia. He built a lot of mills on the Amassee creek. His was the first saw mill put up in the county. Special mention has been made of these parties because they were public benefactors. They all died where they first settled in the county, and have numerous descendants in Barbour county. The early settlers of Henry county were generally a good class of citizens.

XII

[July 17, 1873]

Old Settlers

We are glad to see another interesting article from this pen. We shall avail ourselves of the opportunity to reproduce it for our readers. By the way in respect to our inaccuracies we ask old settlers to read over our *Early Times* in Barbour. We did not say at all that the county was first settled in 1818. We only said that Mr. Green Beauchamp first settled there in that year. This is how it ran. "Mr. G. B. was one of the earliest settlers in this country," (not the earliest). "In 1818 he crossed the Chattahoochee at Fort Gaines" etc. "There were, he assures us, not a hundred people in the whole country which now makes eight counties" etc. Does not this admit that there were settlers (not a hundred however), here before him? Than as to the sofka, Beauchamp sticks to it, there was no ley in it. So do

other old men who were among the Indians; so that is not a settled question. Mr. John R. Robertson says there was no ley in it. Now, as to the line, we had not made that statement when Old Settlers questioned our accuracy. That was made afterwards so "old settlers" cannot properly adduce this in evidence of the correctness of their criticism for that would be prophetic rather than historic. We submit then that there is no evidence yet offered of inaccuracy. We will look into this boundary line, but we are inclined to think old settlers is correct. We will try to obtain a copy of the treaty and give our readers the positive figures on the subject.

XIII

[July 20, 1873]

A Stampede in a Church

In the early part of the summer of 1836, our Indian troubles commenced. Although the Indians had sold their lands to the whites, there were a good many of them still in the country. They were dissatisfied at the idea of leaving the country, and committed hostility upon our people that had lawfully settled on the lands once owned by them. The most of the people that had settled on these lands became alarmed and got out of that country. Some went one way, and some another, several families came to my place at Williamston, among others Milton and Isham Browder, then single men, and occupied my gin house and other out buildings that could be spared. Our immediate neighborhood felt no uneasiness, considering that from the thickness of our settlement, we were able to defend ourselves should any demonstration be made. We took care to keep our powder dry. On Sunday, 16th May, 1836, the Rev. W. B. Neal, a Methodist preacher, had an appointment to preach at New Hope church about a mile and half from Williamston. The house was a good sized building. Mr. Neal was a popular preacher with almost everybody, there was a large congregation out to hear him. Services had begun, the preacher had just commenced reading out his text when a horse's feet were heard com-

ing at full speed. The preacher paused a moment and Cooly Mann, who lived in Eufaula, darted into the church yard and bawled out in a startling voice, that Roanoke had been burnt by the Indians the night before and Irwinton, now Eufaula, would soon fare the same fate, and no doubt, but the whole country would be overrun by Indians in a very short time. Instantly a general rush was made for the doors—the crowd did not stand on the order of going, but got out like hornets from hornet's nest. A council of war was held in the yard, and decided that every man who could leave home should meet at Williamston at 1 o'clock p.m., with such arms as he had or could get and march to Irwinton immediately. At the appointed hour there was about one hundred men on the ground. Rev. J. R. Turner was selected as Captain M. E. Bush, father of our respected citizen, David A. and his brothers, was made Lt. and so on. Before sun down we were in Irwinton to defend the place. No Indians made their appearance. We reconnoitered about a day or two and were dismissed until further notice.

XIV

[July 20, 1873]

(From the Henry County Register, Abbeville, Ala., July 16, 1873)

EDITOR REGISTER:

I am not worth much money, but I will bet my pile—and I believe I can get some backers, that there never were two battles of Hobdy's bridge, or Pea River, or Pea Creek or whatever, it may be called, Head fighting one as related by the Times man, and Wellborn fighting the other as related by me: and I'll go the biggest kind of a blind that the Times man can't find any living witness to the fact that there were.

"Shoot, Luke, or give up your gun."

Thos.Mathis

Well, here goes, Dr. E. M. Heron of Louisville, Alabama, one of our best citizens and once a member of the House of representatives from Barbour, is living, and was present in the flesh in the first fight, and actually dressed a wound received therein by Mr. Harrell Hobdy, a valued citizen of Pike county, now deceased, who also often represented his county in the legislature. So Luke has shot, and we think brought down his game. If this statement, which we make on excellent authority, is not correct, and this paragraph should meet the eye of Dr. Heron, we hope he will correct us, and then we shall surrender without a word. We wish it however, distinctly understood that we were not in either battle ourself, and that our allegations are made only "upon information and belief," but barring accidents, we expect that we are right. We shall soon see. Both battles however, were fought in 1837 and not in 1836.

XV

[July 20, 1873]

Battle at Martin's Field

As but slight mention of this battle, which was fought about three miles this side of Midway, in now Bullock county, has been made by any of your correspondents, I will only say, that I was on the battle ground the day after the fight took place. We buried Mr. Walter Patterson, who was the only white man killed in the fight, Judge W. R. Cowan one of the best men that ever lived in this county lost his left arm. One or two others whose names I cannot recollect, I think were slightly wounded. Four or five horses lay dead on the battle field. The whites got the worst of this fight. There was not a large number engaged on either side, but many more Indians than whites. If there were any Indians killed it was never known. Gen. Wm. Wellborn was the commander of the whites.

ALABAMA MAN SHOT BY GEORGIA TROOPER

Mr. Josiah Flournoy, father of Gen. Thos. Flournoy and grandfather of Mr. S. J. Flournoy of Eufaula, and Mr. Carson Winslett rode up to Flournoy's plantation, called afterwards the Wales place, on business connected with the plantation and while there saw some Georgia troops on the opposite side of the river. To get a better view of them they rode to the bluff, when the Georgia troops commenced firing on them for Indians. Winslett was shot in the neck, the ball entering just above the collar bone and running round the neck until it got opposite where it entered, and lodging until cut out. Winslett was knocked off his horse. Flournoy hurried him away as fast as he could; got him on his horse again and brought him to Irwinton. Winslett was badly hurt but recovered. The ball was cut out by Dr. Cleveland, a dentist then living in the town.

I thing Mr. Mathis will have his bet taken up. If I was a betting man, I believe I would do it myself. There is no doubt in the world there were two separate battles at, or near, Hobdy's bridge.

XVI

[Aug. 1, 1873]

It has already been stated that the first settlement made in the territory that is now Barbour county, was in 1820. After that time the country, or the best part of it was settled up very rapidly. I don't allude to that part that was included in the Indian country. It was some two or three years, after the first settlements before the lands were surveyed—when a man would move in he would, select his claim and go to work. The settlers rarely if ever, interfered with each others claim, and in this way they all got along peaceable. It was a very common thing, after the first few years, when a new comer would move in for him to buy out the claim of somebody, who knew all about the country, and could soon suit himself in another place. This state of things existed until 1828, when the lands were put on

the market by the Government. The sale took place at the land office in Sparta, Conecuh county, Alabama. The land in this country was first offered in the western part of the county and extended east within about one mile of where the town of Clayton now is and there stopped. The balance of the land in the county was put on the market about one year afterwards. By this time quite a number of slaves had been brought into the country. The people were prosperous and many of them had made large farms by buying out the claims around them. Buying and selling claims was quite a common business, much more so than buying and selling lands at this time. When these lands sales came on, the settlers that had money attended them, they apprehended no opposition among themselves, but when they got to Sparta, they found land speculators there who had the Nos. of these lands, demanding hush money to hold off. Some parties made terms with them, others refused and let lands be knocked off to the highest bidder. Some said they would fight it out. A man by the name of Jones bid on S. G. B. Adams land. Adams struck Jones with a stick. Jones drew a pistol and shot him in the breast. Adams had on a thick coat buttoned around him, the ball passed through several folds of the thick cloth, which prevented it from doing any damage. This fight caused great excitement and threatened to be a serious matter as both parties had strong friends. The sales were stopped for the day, the matter however, was settled and the sales proceeded quietly. When the next sales came on about a year after this there was no opposition, every man that had money got his land at one dollar and twenty-five cents per acre, the Government price. There were men there with money to advance to those that had none, and take a lien on the lands until the advance was paid. Quite a considerable business was done in that way. Philip I. Weaver, of Selma, and others were there and made advances as above stated. The lands were offered in tracts of eighty acres; no more nor less. The writer was at Sparta at both these sales, and saw Jones when he shot Adams. Not a man in South east Alabama ever owned one foot of land until the first sales as mentioned above.

XVII

[Aug. 17, 1873]

In June, 1827, I engaged in a little speculation. I had in Henry County a few hundred bushels of corn that I had made there before I left the county. There was no market for it there. I hired a pole boat from Anthony McCulloh, the founder of Franklin, who lived where Franklin now is, manned it with a crew about half white, and half negroes, carried it down to where the Wingate place is now, bought a few more hundred bushels of corn, and loaded her for Columbus, Ga., which place had just commenced settling up. I put my boat in charge of Capt. William Durham of Henry county, saw her under way, and left for my home at Williamston. A man by the name of Phillips had been peddling in the neighborhood of Williamston, sold out his goods, and was going to Georgia. I took a seat in his wagon, and we set out for Ft. Mitchell, where I was to meet my boat. We went on by where Mt. Andrew now is, Midway, and intersected the old Federal road at Lewis' Stand in the Creek Nation.

Kendall and John Lewis lived there. Both had Indian families. They were the sons of Daniel Lewis, who lived one mile west of Clayton at that time. He came into possession of a considerable amount of lands in that neighborhood; owned the forty acres where Clayton is situated and made a donation of it to the county for the purpose for which it is now used. Phillips went on to Georgia and I stopped at the house of Chilley McIntosh. He was the son of Gen William McIntosh, a half-breed Indian, that was killed by his own people for selling a part of the Creek lands to the United States. Chilley was a tall, fine looking man well educated, and he dressed like a white man. His Indian blood was very perceptible. He was married to a white wife, who was the daughter of C. pt. S. Porter, who settled the place near Clayton where Matthew Fenn now resides; and lived there at that time. (1827) Porter had been a Captain in the United States army—was a very intelligent and clever man, but had let liquor get the upper hand of him. When McIntosh and other Indians went off to Arkansas, Porter and his family went with them. Failing to meet my boat at Fort Mitch-

ell as I expected, I put off down the river on foot in search of it. Staid all night at old John Winslett's. He had an Indian family at that time. John Winslett was the father of Martin, Carson Samuel and Joel Winslett and two daughters, that lived many years in this county. They were his children by a former wife, a lady who died in Henry county. Joel Winslett built the first jail that was built in Clayton. Carson Winslett was the first white man that settled at what is now Eufaula. His widow survives him, and is now living in the neighborhood of Wesley Bishop Esq. in this county. On this trip I saw Neah motla a celebrated Indian. Winslett and I were walking along and we saw an Indian sitting on a horse talking to another Indian, who was on foot. Winslett asked "do you know that Indian on the horse." I said no, and he said that is Neah motla, as he called it. I met my boat about ten miles below Fort Mitchell, got aboard and went on to Columbus. The river was very low and it was hard work to get up; I very soon sold out the freight to Col. John Woolfolk and his nephew Sowell Woolfolk. The latter became a prominent politician in Columbus, and was killed by a lawyer named Camp, in a duel. We delivered our freight, settled up our business and all hands went up on the Bluff to a little store to take some refreshments, when a painful scene occurred. The store-keeper was a nice, middle aged man rather under the medium size. There was a big bully looking rowdy there, that appeared to be under the influence of liquor. Without the slightest provocation he commenced cursing the boat hand. He was standing in the store door at the time. Capt. Durham was in the house. He went for the fellow in good earnest, and giving him a shove, landed him his full length in the yard, and jumped out himself, but did not touch him while he was down. The latter got up, ran into the store, went behind the counter among the hardware to get something to fight with. The store keeper went to him, put his hand on him, and told him to get from behind his counter. He immediately turned upon the store keeper, and completely bit off one of his ears. He then made his way out of the house by a back door. The enraged store-keeper got hold of a double-barrelled gun, and fired both barrels at him as he made off. But the poor fellow was so excited that he probably missed. If he hit him, it was not known while we staid. The brute dodged off

into a thick corn field near by, and was out of sight. This occurred on the 4th day of July, 1829. We soon returned to the river, got aboard of our craft, and floated off down stream, all lamenting what had happened.

I was landed at an Indian campfire near the mouth of the Faka ba ba creek about midnight. I remained with the Indians until morning and then walked home to Williamston. I will take this occasion [sic] to correct an error I made in a former article about the first trip the steamer boat Fanny made up the river. It was the latter part of the year 1827 or the first part of the year 1828 and not in 1826 that she came up the river.

XVIII

[Undated]

Indian Houses

The better class had small snug hewed log houses, the logs being very small. They were notched down very close and tight. These cabins had narrow sheds on each side, and doors only large enough to admit one person at a time. The floors were of hewed timber. The finishing touch of the roof was always pine bark. They had a great art of peeling the bark off a green pine. They would girdle the tree in two places, about four feet apart, make an incision with a tomahawk from one ring to the other, sharpen the end of a pole and then strip off a sheet of bark as white as paper and as sound as tin. That bark was put on the tops of houses to finish the covering, and it answered the purpose well. There were social distinctions among them as among all people, many of the poorer class had no houses and nothing but pine bark camps. The Indians slept in the open air in the summer under sheds made for that purpose. Their bedding was made of cane mats. They slept in the houses or camps in winter, with cane mats and blankets for bedding.

Polygamy was not prohibited, but not much practiced.

Better Class and Chiefs Honest

On one occasion Mr. Beauchamp had his store house at Williamston broken open and a number of articles of merchandise stolen, as was supposed by negroes or Indians; by which it was not known until about three weeks after, when three of four chiefs came up and returned to him every article of the stolen goods. They stated that when they saw the goods they knew they were stolen, and made the Indian thief confess where he got them. They assured Mr. Beauchamp that they, had punished him so severely as would entirely satisfy him. The better classes seemed to be decent and cleanly, while the lower ones were filthy. The latter were often seen to find employment for their teeth in something that they captured from their children's heads.

Sofka was the standard food used by the common Indians, in fact the Indians nearly lived on sofka. It was made of corn, beaten up about as fine as rice, and boiled in clear water without salt. They would have an earthen pot full of this food which they set up in the middle of the house. A half dozen of them sat round it with one large wooden spoon in the pot. One would take a spoonful, put it back and then give the spoon handle a fillip with the finger just hard enough to send it round to the next, and so on until it come back to the first again; and that was the way they took their meals, and they entertained their visitors in the same style. There were however, some exceptions to this rule. They were inordinately fond of whisky and tobacco, and never failed to beg for them if there was the smallest prospect in the world of getting them.

XIX

[Undated]

In the year 1833, some ten or a dozen families settled at Irwinton. Three or four small stores were opened there, a hotel put up a flat built to cross the river in &c. As they were all mere adventurers, everything done, was on a small, cheap

scale. The road from Clayton to that place was then open, also one from the neighborhood of Williamston. Merchandise for the back country was nearly all landed there from the boats. Cotton was sent there for shipment down the river. Whites and Indians all lived there quietly and peaceable together. The lands belonged to the Indians at that time.

Some parties concluded to put up a warehouse for profit, and the convenience of the people in the back country. The frame of the warehouse was put up, pine poles, peeled, were substituted for scantlings in the building. Before, however, the house was weatherboarded and covered, John Austell, U. S. Marshal for Alabama, with a squad of United States soldiers, paid them a visit. The warehouse was felled to the ground by the soldiers with axes and Frank Pugh's house burned. That was all damage done to property or to any citizens of that place. Col. Austell stopped at the little hotel and showed no disposition to be harsh with the citizens. The parties that were building the warehouse foolishly concluded they would seek redress by having the officer in command of the soldiers arrested for the damage to the warehouse. They got a magistrate in the old part of the county to issue a warrant, which was put in the hands of S. G. B. Adams, a resolute, fool-hardy kind of a fellow to make the arrest. The officer was apprized of what was on hand and ordered a sentinel not to let Adams approach him. Adams however, notwithstanding he had heard the order, did not hesitate, but went on and undertook to pass the sentinel, when the soldier pricked him in the breast with his bayonet, making a pretty severe flesh wound. That put a stop to things so far as the officer and soldiers were concerned and soon afterwards they left. But among some of the citizens themselves, there was a little tug of war that grew out of the visit of the soldiers, which ended with a few knock downs and sore heads. Some parties believed that others had instigated the trouble they had had. Capt. Henry Allen justly or unjustly, was suspected of having something to do with it and Frank Pugh struck him over the head with a handspike making a terrible cut. One big fellow named Grant, able to whip two common sized men, was implicated, and some of them to use a common phrase went for him and got him hemmed, but he gave them leg-bail and made his escape, by jumping off the

bluff at the highest point into the river and swimming across into Georgia. He was the only man that left the place on account of that affair. He never did return. As for the soldiers burning the place and the citizens threatening to get up a fight with them, that is all without foundation.

XX

[Undated]

Before Southeastern Alabama was settled by the whites, "Old Settlers" correctly remarked that the country was only inhabited by the "Indians, wild beasts and owls." This wild game afforded abundance of fine sport for the white settler, who was fond of the chase, and there were but few who did not participate in it more or less. Among these wild animals, the meanest and most troublesome was the wolf. To get rid of this pest we would make up large hunting parties, go out in the unsettled parts of the country, and camp out one, two, and sometimes three days, to catch the young wolves with dogs, and shoot the old ones. But the most effectual way of destroying the old wolves was to trap them in pens made for that purpose. We did not like to resort to poison, for fear of killing our dogs. Dogs were like the Irishman's dram, they were everything. In these hunts we often killed deer and smaller game, anything that came to hand. But one of the most interesting hunts that the writer was ever engaged in was a panther hunt.

A party of us in 1822 made up a camp hunt on the Attaabbe creek in Henry county. Staid out one night; next morning, just after leaving camp, before the hunters began to separate, our dogs scented the carcass of a large buck that had been killed the over night by panthers. The dogs soon conducted us to the carcass covered up entirely with leaves and pine straw. A part of the carcass was not consumed, with a large head of horns. The dogs clawed the ground, raised their bristles, and soon gave us to understand which direction the game had gone. We held them back, inspected the premises, and then told them to go. They made for a large swamp nearly on the

creek. The hunters flanked off in different directions, and in less than two hours we came up with the game. We used mostly brass-mouthed British muskets in such a hunt. Of course they were flint and steel, this being long before the days of percussion caps. There were rifles in the country, but these were for still hunting. We killed two large panthers. One was up a tree and was shot out of it. The other I killed with my musket. The panther was on the ground at bay and surrounded by dogs. It was in a thick place on the bank of the creek, and I went up very close, as near as twenty yards, and fired a load of buck shot in the breast. He fell back dead into the creek. This was glory enough for one day, and we made off home with our trophies.

XXI

[Undated]

As has been stated in your columns heretofore, Gen. Jackson, in accordance with the stipulations of a treaty, entered into between the United States and the Creek Indians on the 10th of August, 1814, surveyed and located what was known as the "Old boundary line," running straight from Fort Gaines, Ga., to Line Creek in Bullock county. This creek, which flows into the Tallapoosa, then became the line between the whites and the Indians, and from this fact derived its name. For many years after the first settlements in Alabama, all the country from Line creek to the Ocmulgee river belonged exclusively to the Indians. No white person was allowed to settle among them, unless he had a permit from our government to establish stage stands and houses of entertainment for travelers on the "Old Federal road" as it was called, that ran through the nation. The road extended from Fort Hawkins, now East Macon, on the Ocmulgee; crossing the Flint river at Fort Lawrence, the Chattahoochee at Fort Mitchell, Line creek at Lucas's store and passed through Mount Meigs and down into Butler county, and on. Fort Perry was between the Flint and Chattahoochee rivers. The Federal road was the great thoroughfare for the migration from Virginia, the two Carolinas, and

Georgia, that was pouring into the promised land of Alabama. The travel to and from Southeast Alabama followed the road that crossed the river at Fort Gaines, and reached the "Old Federal road" at Fort Perry in now Talbot county. Here a man, named Drewry Spain kept a house of entertainment for travelers, widely known as "Spain's Stand." Once upon a time, fifty-two years ago, I journeyed along this latter road from Henry county back into the white settlement of Georgia: and I will relate a little adventure that befelled me on the way. It was in the year 1821. I was traveling in company with two other persons, a man and his wife. They were in a one horse Jersey wagon: I on horseback. The third night after leaving home, we camped a little east of Spain's Stand. The next morning just as we were leaving camp a horseman passed by, going in the same direction that we were traveling. I remarked that I would ride on, overtake him and have company. Presently I rode up along side of him, and, after passing the usual compliments, we jogged on together. I now had a companion for the day through the wild wilderness and it was not unnatural than I should [s]can him closely. He was riding a bob tailed bay horse, rather on a pony order; had a large pair of saddle bags, packed to their upmost capacity, wore a wide brimmed black hat, a suit of summer clothing, a sack coat or gown that fitted very loosely with large sleeves, the corners of the sack coat were tied together in front. Under that wide brimmed hat was a beautiful pair of eyes and the handsomest face that I ever saw on a young man's shoulders. A delicate hand in a fine kid glove handed the reins. The complexion was smooth "Scarce did the rosy cheek, the down invest."

I decided that I was in the presence of no common snoch, and governed myself accordingly. I flattered myself as I was barely out of my teens that I would have a pleasant time of it, with the handsome young fellow, but I was somewhat doomed to disappointment. My companion was courteous but distant, reserved and reticent, and let me do the talking, and except when hard pressed said nothing. I did however manage to find out that he was from Conecuh county, Alabama and was bound for Twiggs county, Georgia. About two o'clock p.m. brought us to Flint river. I rode down into the water's edge and halloed for the ferryman, who was on the opposite side.

Sometime was spent in bringing the flat over. Meanwhile my company that I had left in the morning came up. Just as my flat was landing I looked back and a handsomely dressed lady came walking down to the river, wearing the unmistakable broad brimmed hat, and leading the identical bobtail bay that I had been riding by the side of all the morning. I looked at her in amazement, but said nothing. We crossed the river, remounted our horses and moved off under a new order of things; stopped at Henry Crowell's at Fort Lawrence, got dinner, and rode on for the evening. Impudence or curiosity prompted me to enquire what all this meant, and she explained it all frankly and satisfactorily. She had good reasons for what she was doing, but I will not repeat them here. At any rate, that was a bold ride for such a beauty to make through the wild wilderness among the savages alone; and I have never forgotten it.

Editors Make War, Southern Newspapers in the Secession Crisis,
By Donald E. Reynolds (Nashville: Vanderbilt University Press,
1970. Pp. xi, 304. \$10.00).

This is the first book-length study of the role of the Southern press during the Secession crisis of 1860-1861, and it is both a competent specimen of historical research and a highly readable little volume. Basing its subject matter on his doctoral dissertation, accepted at Tulane University in 1966, the author, an Associate Professor of History at East Texas State University, has consulted partial or complete holdings of nearly two hundred newspapers, roughly twenty-five per cent of the total number in the eleven states of the Southern Confederacy in 1860. Whereas in Professor Dwight Dumond's collection of Southern editorials on Secession Dumond used not more than thirty different newspapers, mainly published in larger towns and cities, Professor Reynolds has based his conclusions on a generous sampling of rural weeklies as well as of the larger daily newspapers. Also he has concentrated mainly upon editorial content.

In dealing with the Southern press, Reynolds distinguishes

at the outset among secessionist, radical Southern-rights, moderate Southern-rights, and unionist newspapers. The fluidity of these classifications becomes obvious as newspaper opinion in the Confederate states fluctuated from a generally unionist position in early 1860 to a predominantly secessionist viewpoint a year later. By early 1860, a large segment of the Southern press (how large proportionately Reynolds does not indicate) had gone on record unequivocally as favoring secession if the Republican party won the presidency.

Following the conclusion of the national conventions, virtually all the secessionist and radical Southern-rights papers, as well as many moderate Southern-rights papers, aligned themselves with the Southern Democratic presidential candidate, John C. Breckenridge. Although the press that supported his opponent, John Bell, the more moderate Constitutional Union party candidate, included some 200 well-distributed Southern newspapers, the Breckenridge journals substantially outnumbered the Bell papers in every Southern state except Tennessee. The Northern Democratic candidate, Senator Stephen A. Douglas, ran a weak third in the South in the race for newspaper support.

Until late in the campaign of 1860, Southern editors gave little space to Lincoln and his party, rating him an almost certain loser. But the dream of Lincoln's defeat in the minds of Southern editors was dissipated by the outcome of the October state elections in a number of key Northern states. At that point those editors faced the question as to whether the Southern states should secede upon Lincoln's mere election or wait for some overt act of aggression on his part.

Yet Southern unionist editors fought hard to combat the tide of emotionalism that set in after Lincoln was elected. Generally speaking, the moderate Breckenridge papers succumbed to Secession fever first, then the Douglas papers, and finally the Bell journals. Among the bitterenders were the *True Delta*, *Picayune*, and *Bee* of New Orleans. One of the most unyielding newspaper critics of the Confederacy was John Maginnis of the *True Delta*, who showed contempt for the new Southern government even before it was born and denounced the

"treason" of the Louisiana secession convention almost two months after it had voted the state out of the Union. Even after receipt of the news of the fall of Fort Sumter, a few Southern unionist papers blamed the Confederates for the outbreak of war.

Professor Reynolds believes that Southern newspapers may well have reflected public opinion on political issues more than they created it, but does not absolve Southern Journalism of its share of the blame for the most fateful step that the South ever took. Of particular interest to this reviewer was the chapter entitled "By the Light of the Texas Flames," in which the contribution of the press to what Reynolds regards as "one of the greatest witch hunts in American History" is assessed.

In dealing with a subject as controversial as this, the author could hardly keep from voicing some opinions that are at least arguable. Were, for example, other forms of communication—the book trade, private correspondence, the pulpit, and stump speaking—as relatively unimportant mechanisms for "firing the Southern heart" as Reynolds seems to think? Is the term "pitifully inept oration" that is used to characterize President Buchanan's December 3, 1860 message to Congress (p. 158) entirely fair to Buchanan in the light of General Scott's disclosure of the weak defense capabilities of the Southern forces and in view of the flaw in the constitutional structure that Buchanan was powerless to remedy. Also this reviewer finds it difficult to believe that the reliance of most Southern newspapers on their newspaper exchanges for news is adequate justification for concluding that news reporting was unimportant in reflecting a paper's political attitudes (p. ix).

These objections notwithstanding, *Editors Make War* is a useful exploration of editorial attitudes, which provides a satisfactory working model for additional studies of press opinion in the era of Civil War and Reconstruction.

J. Cutler Andrews

Chatham College

From Thurmond to Wallace; Political Tendencies in Georgia, 1948-1968. By Numan V. Baartley, (Baltimore: The Johns Hopkins Press, 1970. Pp. vii, 109, list of tables, index \$6.95.)

Observers of the contemporary Southern political scene will do well to devote a few hours to this slim volume by Professor Bartley. With clarity and conciseness, and without letting his methodology intrude on his meaning, the author analyzes voting trends in Georgia since 1948.

Bartley examines the thesis, advanced by V. O. Key, Alexander Heard, and others, that higher voting levels among blacks and lower income whites would produce a liberalization of Southern politics as these groups transcended racial barriers and voted together on economic issues. The work amply demonstrates that this realignment has not occurred, despite increases in registration and despite the emergence of a two party system in the state. With pessimistic view the author concludes that "the best that can be hoped is that Georgia politics will not become substantially more conservative than it has been in the past." The recent 1970 elections in the state may constitute further confirmation of this position, although they offer scant evidence of consistent Republican strength.

Professor Bartley puts no time limit on his enduring conservatism and it may be well to wonder if Key was wrong on anything but timing. The ingredients for neo-Populism still exist. If lower income whites have been the staunchest supporters of Southern conservatives, they also tend, as Bartley observes, "to be anti-establishment and to express disparaging views concerning the honesty and character of the politicians." This attitude is certainly not enough to transcend race, nor will an increase in black militancy make alignment on economic bases easier. But a variety of the activist black existed prior to Populism and the poor white may have been equally conservative in 1876. At least it is safe to vote with Professor Bartley that "Southern politics is passing through a period of profound transformation."

Robert David Ward
Georgia Southern College

The Early Jews of New Orleans (American Jewish Communal Histories No. 5). By Bertram Wallace Korn. (Waltham, Mass.: The American Jewish Historical Society, 1969. illus. notes. index. 382 pp. \$12.50.)

A distinguished record of research and publication in Jewish and ante-bellum Southern history lies behind this remarkable study of the founders of the Jewish community in New Orleans. The unique familial, mercantile, and religious ties of international Jewry provided Rabbi Korn with a body of material of exceptional richness for the late 18th century, and the archives of early 19th century New Orleans (not to mention the unchanging attractions of that fair city) literally "ambushed" him into writing this fascinating narrative of personal adventure, endurance, and accomplishment.

The history of the Jews in Louisiana begins with the career of Isaac Monsanto and his family. The elder Monsanto was born at The Hague, came to the New World by way of Curacao, and settled in New Orleans about 1757. During the next ten years the name Monsanto became familiar to all the European colonists along the Gulf Coast. Isaac prospered under the French regime, assisted the British in their efforts to open communications up the Mississippi River, and had become the leading international businessman of the region when General Alejandro O'Reilly brought Spanish authority and bigotry to Louisiana. Yet, as Korn makes clear, it was rather Monsanto's financial preeminence that his religion which led to his expulsion from New Orleans along with British merchants such as John Fitzpatrick.

In the early 1770's, the Monsanto made Manchac their base of operations and established themselves in Pointe Coupee and Pensacola. The earliest Jewish residents of Mobile also possessed New Orleans connections. The merchants Joseph de Palacios, Samuel Israel and Alexander Solomons were supplying Major Robert Farmar with the necessities of life as early as 1764, and Alexander's brother, Haym Solomons, remained in West Florida until it fell to Don Bernardo de Galvez in 1781.

The mercantile services of these venturesome entrepreneurs were critical to the feeble economic life of the Gulf Coast in

the colonial period, but the first Jewish settlers never prospered as did those of the early 19th century. Then New Orleans truly became that continental emporium which men had long envisioned. Fortunes were to be made by hard-working young emmigrants from the northern states and from Europe. Rabbi Korn traces the successes and failures of dozens of men and women, the most notable being the famous Judah Touro whose career was nearly abbreviated by a British canon-ball on the battlefield of Chalmette. The story of their family and business relations is both fascinating and illuminating. Rather surprisingly, the tale does not disclose any significant religious activity before 1828, and not until mid-century did the Jewish spiritual community achieve a healthy stability based upon the death-bed generosity of Joseph Touro and the intellectual leadership of Gershom Kursheedt. Rabbi Korn explains the slow emergence of religious life by observing that the open society of a frontier American metropolis neither admired nor required the inward-looking communal qualities that characterized older Jewish societies. The activities and concerns of the early New Orleans Jews were essentially secular; so also was their outlook and contribution. If they possessed "an irreducible residue of Jewishness," they were, in all things, Americans first.

Rabbi Korn's meticulous research and voluminous notes will delight every scholar, and he has generously pointed the way toward many other interesting lines of investigation. His clear, straight-forward prose makes an unfamiliar subject-matter easy for any reader. *The Early Jews of New Orleans* stands as a magnificent example of the manner in which highly specialized local history, properly pursued, can contribute to the broader history of a region and the whole nation.

Robert R. Rea
Auburn University

Sections and Politics: Selected Essays by William B. Hesseltine.
Edited by Richard N. Current. (Madison: State Historical Society of Wisconsin, 1968. Pp. 176. \$5.00.)

This collection of essays of William B. Hesseltine has been

edited as a memorial volume by his student and colleague Richard N. Current. Certainly, the student has done well by his teacher. All collections of essays should open with a preface as fine as this one. After vividly introducing Hesselstine to any reader who did not personally know him, the editor sketches some of the attitudes and contributions of the great historian. This commentary on Hesselstine's interests and principles, his arguments with fellow historians, sets the disconnected essays into a historical context which provides a continuity so often missing in collection of this type.

The eight short pieces included in this volume are intended as a "sampling that would illustrate the range of the author's subjects and treatments over most of his career," though not necessarily the best pieces he wrote. They include one book review and seven articles, written in the period from the early 1930's to the early 1960's. The essays possess a remarkable timeless quality—any of them could have been written yesterday—and this quality is an unusual one in a discipline where revision is perpetual.

The book review of *I'll Take My Stand*, which opens the collection, is a gem, one that Southerners enamored of the "moonlight and magnolias" myth of the Old South should be force-fed. The seven articles which follows comment on many aspects of the years of the sectional controversy, Civil War, and Reconstruction: carpetbaggers in Tennessee, Confederate prisons, the end of Reconstruction, the proslavery argument, Abraham Lincoln, regions, classes and sections.

Every reader will lament that some particular essay was not included in the collection, but those selected for the volume accomplish the editor's purpose of providing a sampling reflective of the author's wide-ranging interests. Certainly, one of the more significant of the essays is "Economic Factors in the Abandonment of Reconstruction." Some of Hesselstine's generalizations so briefly stated here were thoroughly documented decades later by other eminent historians. The essay illustrates one of the more extraordinary qualities of the author as emphasized by the editor in his preface: that Hesselstine possessed exceptional abilities to arouse interest and open new

areas for future investigation.

The volume closes with a bibliography of Hesseltine's works and a list of the students who earned the doctorate under his direction. Both are further impressive testaments to his expansive interests. The list of doctoral candidates is a veritable roster of some of today's more significant historians of many periods and subjects in American history.

From introduction to appendix this collection is a fitting tribute to a remarkable individual and teacher. It is a model that future editors of volumes of this type would do well to study.

Sarah W. Wiggins
University of Alabama

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CONTENTS

Alabama's Forgotten Settler: Notes on the Spanish Mobile District, 1780-1813 <i>by Jack D. L. Holmes</i>	87
The Gulf Coast: Key to Jeffersonian Empire <i>by John Hawkins Napier, III</i>	98
William Henry Skaggs and the Reform Challenge of 1894 <i>by Terence Hunt Nolan</i>	117
Surveying the Gaines Trace, 1807-1808 <i>by James H. Stone</i>	135
Book Reviews	
Sterkx, <i>Partners in Rebellion: Alabama Women in the Civil War</i> , <i>by Lucille Griffith</i>	153
Curl (Editor) <i>Pierce, Pioneer Life in Southeast Flori- da</i> , <i>by Jerrell H. Shofner</i>	155
Holmes, <i>A Guide to Spanish Louisiana, 1762-1806</i> , <i>by Marion Viccars</i>	156
Cortner, <i>The Apportionment Cases</i> , <i>by James E. Larson</i>	157
Clarkson and Jett, <i>Luther Martin of Maryland</i> , <i>by Joseph M. Harrison, Jr.</i>	160

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ALABAMA'S FORGOTTEN SETTLERS: NOTES ON THE SPANISH MOBILE DISTRICT, 1780-1813

by

Jack D. L. Holmes*

It was just about two years ago that the Alabama Education Network offered television viewers a glimpse of "Alabama's Early Years."¹ Although the early settlers of the Mobile District were mentioned in passing, the program concentrated on the story of American migration from the Atlantic states through the gaps and passes of the Appalachians into northern Alabama. For most people and for too many historians, the Spanish period of Alabama history from 1780 to 1813 is virtually neglected. Settlers there have become the forgotten people of history; yet the men and women who hacked their homes from the wilderness of the Mobile District are deserving of a better fate.

Although the French had established settlements along the Gulf of Mexico in the early eighteenth century, by the close of the Franco-Spanish War of 1719-1722 they had shifted their capital of Louisiana to New Orleans on the Mississippi.² Interest in the Mobile District was galvanized by the surrender of Fort Charlotte on March 14, 1780, when Spanish forces under Bernardo de Galvez forced the capitulation of the British commander, Elias Durnford.³ Acting-commandant of the newly-

*This paper was read at the Alabama Academy of Science, Tuscaloosa, April 2, 1971.

¹The program shared the talents of Dr. Hubert Harper of the University of Alabama in Birmingham and Duard LeGrand, editor of the Birmingham *Post-Herald*. It was presented on Channel 10 at 8 o'clock P. M., January 30, 1969.

²Jack D. L. Holmes, "Dauphin Island in the Franco-Spanish War, 1719-22," in John Francis McDermott (ed.), *Frenchmen and French Ways in the Mississippi Valley* (Urbana, 1969), 104-125; "Dauphin Island's Critical Years: 1701-1722," *Alabama Historical Quarterly*, XXIX, Nos. 1-2 (Spring and Summer, 1967), 39-63.

³Accounts of the surrender are in Peter J. Hamilton, *Colonial Mobile, an Historical Study, Largely from Original Sources, of the Alabama-Tombigbee Basin from the Discovery of Mobile Bay in 1519 until the Demolition of Fort Charlotte in 1821* (Boston, 1897), 310-317; and Jack D. L. Holmes, *Honor and Fidelity, the Louisiana Infantry Regiment and the Louisiana Militia Companies, 1766-1821* (Birmingham, Ala., 1965), 31-33. Gálvez's report on the campaign, dated March 20, 1780, is in the Minutes of the New Orleans Cabildo (New Orleans Public Library Archives). A portion of his diary with many errors in translation was compiled by Mrs. Corinne McN. Lee, "Mississippi Provincial Archives, Spanish Dominion, Vol. 1," *Deep South Genealogical Quarterly*, V, No. 2 (February, 1968), 163-176.

captured town of Mobile, Joseph de Ezpeleta,⁴ called for all former British subjects who wished to remain in Spanish territory to sign an oath of loyalty to the Spanish monarch. For the next few years those settlers who preferred to depart rather than change allegiance left their Alabama lands, but many more chose to remain.⁵

Many Americans chose to migrate to Alabama as a result of a journey to South Carolina by the half-breed "Talleyrand of Alabama," Alexander McGillivray, who was the leading chief of the lower Creeks.⁶ The Creeks preferred settlers who would abide by Spanish laws and not encroach on Indian hunting lands. They would furnish a formidable barrier to their former countrymen in building and protecting their homes along the rich, fertile valleys of the Tensaw and Tombigbee Rivers north of Mobile. Former officers of the British militia such as Baley Chaney, Cornelius McCurtin and John Linder, Sr. accepted the opportunity presented to them by McGillivray and the Spanish officials, and it seems that the British were more than willing

⁴A brief biographical sketch of Ezpeleta is in Jack D. L. Holmes, "Spanish Military Commanders in Colonial Alabama," *Journal of Alabama Academy of Science*, XXXVII, No. 1, (January, 1966), 55.

⁵The oath, with minor variations, was similar to the following: "We swear to God and promise on the Saints not to commit treason nor cause nor permit any direct or indirect hostility against the Spanish Nation, the Fort, land conquered, nor against the State, during the time which they may remain under its domination and settled on the lands of its jurisdiction; to give to the Governor or his Garrison and the other settlers established in it [the district] all possible aid, subsistence supplies, and produce of the land, and to join voluntarily in alleviating the mutual needs according to the dictates of Humanity to the best of our ability; of not failing to give necessary and suitable word to the commandant of the fort in the event that enemies plan to attack it, so that forewarned with this news, he may take and employ suitable means to defend himself and repel them; and finally to behave ourselves and live while we remain under his Domination as good and loyal subjects of the Catholic Monarch." This version was signed by John Lawrence and Jacob Pyburn at Mobile, December 10, 1784, and witnessed on January 12, 1785, by English interpreter Josef de Bercochea and Santiago de la Saussaye. It is in AGI, PC, leg. 198. Other oaths may be found in *ibid.* and elgajos 200 and 2359.

⁶The term was used by Albert James Pickett, *History of Alabama and Incidentally of Georgia and Mississippi from the Earliest Period* (reprint edition, Birmingham, 1962), 432. On McGillivray, see also, John Walton Caughey, *McGillivray of the Creeks* (Norman, Oklahoma, 1938); Arthur P. Whitaker, "Alexander McGillivray," *North Carolina Historical Review*, V (1928), 181-203, 289-309.

to see them leave their homes in the East.⁷

John Linder, Sr. and Jr. were among these settlers. The elder Linder was born in the canton of Berne, Switzerland in 1720 and lived many years in Charleston where he served as engineer and surveyor for the British.⁸ John Linder, Jr. had become the leader of a rowdy band of "disbanded men from the British and American Armies, together with some Vagrants from the different Provinces." These men, styled "banditti" by the last British governor of East Florida, Patrick Tonyn, engaged in "repeated acts of robbery and rebellion" before taking refuge in the swamps and other places of concealment. Tonyn recommended their expulsion from East Florida to his Spanish successor, Governor Vicente Manuel de Zéspedes.⁹

In September, 1785, the commandant at Mobile, Pedro Favrot,¹⁰ recommended the elder Linder as a man of character and superlative qualities, including a firm loyalty to Spain, and suggested that he be appointed commandant of the Tensaw post, where he lived among his many friends and supporters.¹¹ His actual title was "Justice of Peace for the District of Tensaw and Tombigbee," but his duties were similar to those exercised by frontier commandants in Spanish West Florida and Louisiana. He compiled reports, took testimony of witnesses in civil cases, collected census data, recommended settlers for land grants, and exercised limited financial duties as sub-delegate of the treasury department. In 1789, when there were Indian threats against the Tensaw and Tombigbee settlers, Linder was replaced by

⁷Vicente Manuel de Zéspedes, "Statement of William Cunningham and Other Americans," St. Augustine, July, 1784, Joseph Byrne Lockey, *East Florida, 1783-1785, a File of Documents Assembled and Many of them Translated* (ed. by John W. Caughey; Berkley, 1949), 235-236, ff. (see index).

⁸Pickett, *Alabama*, 416-417.

⁹Patrick Tonyn to Vicente Manuel de Zéspedes, St. Augustine, July 5, 1784, in Lockey, *East Florida*, 214-215.

¹⁰For a biographical sketch of Favrot, see Holmes, "Spanish Military Commanders," 56.

¹¹Favrot to Miró, Mobile, September 12, 1785, AGI, PC, leg. 198. Duvon C. Corbitt states, "John Linder is referred to . . . as *alcalde*, but he was what was called in Cuba . . . a *capitan de partido*. The duties of such officers corresponded roughly to those of constable and justice of the peace." Duvon C. and Roberta Corbitt (trans. and ed.), "Papers From the Spanish Archives Relating to Tennessee and the Old Southwest, 1783-1800," *Publications of the East Tennessee Historical Society* (Knoxville), No. 15 (1943), 97 note.

Lieutenant Josef Deville Degoutin Bellechasse,¹² who had founded Fort San Esteban de Tombecbé, the nucleus of the later fort and town of St. Stephens.¹³

The Linders owned considerable land grants in southern Alabama. In the Tensaw census of 1785, which the elder Linder compiled,¹⁴ the two Linders are listed with their wives, eighty-two Negro slaves, twenty-seven horses, and seventy-two cattle. They produced corn, tobacco, rice and chickpeas. By 1789, the Linders owned thirty-three horses and 230 head of cattle.¹⁵ George Strother Gaines mentions a family of "Lingers" living near Tensaw Lake.¹⁶ In 1792, John Linder, Jr. died, but his father continued to exercise power in the district.¹⁷ In 1796 the surviving Linder bought a tract of land on the east side of the Tensaw River at Grand Terre, some six leagues from Mobile.¹⁸ The elder Linder owned considerable property as noted in his 1804 will.¹⁹ An interesting anecdote indicates that the Linders exercised strong parental authority. Elizabeth Linder, the elder Linder's grand-daughter, wanted to marry a young man named Daniel Johnson in 1800. When the young couple could not obtain parental permission for the marriage, they eloped across the boundary line to the American Fort Stoddart, where the amiable commandant, Captain Bartholomew Schaumburgh, furnished the wedding party with generous quantities of egg-nog. Then, joining their hand together, he pronounced them man and wife, "Go home," he admonished them, "behave yourselves—multiply and

¹²On this commander see Holmes, "Spanish Military Commanders," 60; and Holmes, "Three Early Memphis Commandants: Beauregard, Deville Degoutin, and Folch," *Papers of the West Tennessee Historical Society*, XVIII (1964), 26-37.

¹³Jack D. L. Holmes, "Notes on the Spanish Fort San Esteban de Tombecbé," *Alabama Review*, XVIII, No. 4 (October, 1965), 281-290.

¹⁴John Linder, "List of the settlers established on the Tensaw," Tensaw, July 27, 1785, AGI, PC, leg. 198.

¹⁵Vicente Folch y Juan, Census of the Mobile District, Mobile, March 15, 1789, AGI, PC, leg. 202.

¹⁶George Strother Gaines, "Notes on the Early Days of South Alabama," *Alabama Historical Quarterly*, XXVI, Nos. 3 and 4 (Fall and Winter, 1964), 143.

¹⁷John Linder, Jr. signed an edict at Tensaw, May 27, 1792, Bancroft Library (Louisiana Collection), Box 3, folder 296; McGillivray to Carondelet, Mobile, January 15, 1793, AGI, PC, leg. 2363.

¹⁸Mobile Probate Court Records, Translated Spanish Records (2 vols.), I, 190-91.

¹⁹Last will of John Linder, Sr., Washington County, September 13, 1804, Washington County Probate Court Records, Deed Volume A. On Linder's land holdings, see *American State Papers, Public Lands*, I, 631, 642, 809, 814, 815, 833, 846, 847.

replenish the Tensaw country!" According to subsequent reports, they were regarded as "the best married people" in the Tensaw District.²⁰

Baley Chaney, a close friend of the Linders, also emigrated to the Mobile District shortly after the American Revolution. According to genealogical and heraldic accounts, the name Chaney was a corruption of the name "Le Quesnay," and appears in the Domesday Book compiled after the Norman invasion of England by William the Conqueror in 1066. Radulfus Chaney is an early entry. Baley Chaney apparently lived up to the family tradition of martial display, for he was involved with the younger Linder as a member of the "banditti" in East Florida following his "retirement" as lieutenant-colonel in the British militia. Granted permission to emigrate to West Florida in 1785, by January 1st of the following year "Belly Cheney" is listed in the census of the Mobile District, together with his wife, three children, six Negro slaves, and an agricultural production during 1785 of one hundred barrels of corn.²¹

The following year another census was taken, which listed the 30-year-old "Beley Cheney," his 22-year-old wife, their eight slaves and fourteen horses. During 1786 they had produced 800 pounds of tobacco and 150 barrels of corn.²² Spanish census reports were not always accurate, however, and in the 1788 census of the Mobile District, his age is given as 47 and that of his wife as 33!²³ Apparently, during two years of living on the Alabama frontier, Baley had aged seventeen years, and his wife, eleven.

Church records indicate that the Chaney's were Baptists and that her maiden name was Sarah Jones. One of their children, Guillermo (William), was born July 30, 1786; Ana (Anne) Suzana was born on December 30, 1787. Both children were baptized at the Tombigbee settlement by Father Michael Lam-

²⁰Pickett, *Alabama*, 464-465; Jack D. L. Holmes (ed.), "Ft. Stoddart in 1799: Seven Letters of Captain Bartholomew Schaumburgh," *Alabama Historical Quarterly*, XXVI, Nos. 3 and 4 (Fall and Winter, 1964), 233.

²¹Lockley, *East Florida*, 235-236, 443-444; Favrot, Census of the Mobile District, Mobile, January 1, 1786, AGI, PC, leg. 2360.

²²Favrot, Census of the Mobile District, Mobile, January 1, 1787, AGI, PC, leg. 2361.

²³Folch, Census of the Mobile District, Mobile, March 15, 1789, AGI, PC, leg. 202.

port on November 13, 1788.²¹ Another daughter, Sarah, was married to David Dupree at St. Stephens on July 22, 1804.²²

Chaney favored the Spanish government and was rewarded with land grants on the Tombigbee River near Jackson's Creek in 1787 and on the east bank near Nannihubba Bluff in 1794.²³ As was true of other settlers who prospered under the benevolent paternalism of the Spanish government, Chaney asked permission to emigrate to Spanish territory following the expansion of the United States into northern Alabama.²⁷ Chaney settled in the Feliciana parishes of West Florida. He made out his will on March 28, 1821 at West Feliciana Parish, and he died in the same year which witnessed the transfer of all Florida to American rule.²⁸

Another prominent settler in early Alabama was John Baker. He is listed in the 1785 census as a widower, "Jean Baker," who resided on the Tensaw River and directed his three slaves in producing 40 barrels of Indian corn during 1785.²⁹ In the mystical way of Spanish census reports, Baker appears one year later as a bachelor with no slaves and no crops!³⁰ On January 15, 1787, he joined with other Anglo-American settlers of the Tensaw and Tombigbee valleys in signing a petition asking the government to retain in command at Mobile the popular Pedro Favrot.³¹

After signing his loyalty oath at Mobile on April 14, 1785,³² he again signed his loyalty oath at the Tensaw post on January 4, 1789.³³ Baker petitioned the Spanish government for a land

²⁴Church records, Church of the Most Pure Conception, Mobile, Baptism records, fol. 24.

²⁵Washington County Probate Court Records, Deed Vol. A, fol. 79.

²⁶Mobile Probate Court Records, Translated Spanish Records, I, 71, 76-77, 104-105.

²⁷List of People of Tensaw desiring to Move into Spanish Territory, Tensa, November 8, 1798, AGI, PC, leg. 206; Gayoso to Joseph Vidal, New Orleans, August 13, 1798, AGI, PC, leg. 132.

²⁸West Feliciana Parish (Louisiana), Will Records, Vol. B, fols. 346-347.

²⁹Favrot, 1785 Census of the Mobile District, Mobile, January 1, 1786, AGI, PC, leg. 2360.

³⁰Favrot, 1786 Census of the Mobile District, Mobile, January 1, 1787, AGI, PC, leg. 2361.

³¹Petition, Mobile, January 15, 1787, W. P. A., Historical Records Survey, *The Favrot Papers* (12 vols.; New Orleans, 1940-1963), III, 86-88.

³²Located in AGI, PC, leg. 198.

³³Folch, List of Families Who Have Settled and Sworn to Loyalty Oaths in Tensaw District, Mobile, May 30, 1791, AGI, PC, leg. 52.

grant of 1,600 acres on property formerly granted by the British to Charles Walker. He planned to produce tobacco on this land.³⁴ In 1787, he also asked for a tract of land suitable for grazing his black cattle.³⁵ According to Gaines, Baker lived on the first bluff above St. Stephens.³⁶ In 1795, after John Chastang had declined the appointment as commissioner of the second ward of the St. Stephens settlement, Baker was named to that post.³⁷ He kept a keen eye peeled for land bargains, and in 1801 he bought 800 acres for only \$22 at a sheriff's sale.³⁸ He signed a bond for a friend in 1803.³⁹ Baker also owned land in Mobile on Royal street and near the Mobile parish church.⁴⁰

When the census was taken for the San Esteban District in 1797, "John Beker" is listed as a 38-year-old American married to a 33-year-old American girl. They had two children, a boy and a girl, and owned twenty cattle and one horse.⁴¹

It is by no means true that the settlers of lower Alabama were all native to the United States. Many were creole French and had lived in the Mobile District under the successive dominions of France, England and Spain. Francisco Carrière, Louisbourg, La Lancette, and Francisco Dubuisson were of French extraction.⁴² Peter Dunn of San Esteban was Irish.⁴³ Francisco Fontanilla was Spanish, but his wife was German.⁴⁴ Mr. and Mrs. Tobias Reams were both German.⁴⁵

In 1722 an English ship captain named Ross found cotton and a gin on a Pascagoula farm belonging to Hugo Ernestus Krebs, a native of Moselle's town of Neumagen in Germany. He

³⁴*American State Papers, Public Lands*, I, 626, 785.

³⁵Baker to Spanish government, Mobile, July 21, 1787, AGI, PC, leg. 2354. His J B brand was registered at San Esteban on May 2, 1795, AGI, PC, leg. 222-B.

³⁶Gaines, "Notes on Early Days," 143.

³⁷Appointment by San Esteban commandant Antonio Palao, San Esteban, June 19, 1795, AGI, PC, leg. 128.

³⁸Washington County Probate Court Records, Deeds Vol. A, No. 4.

³⁹*Ibid.*, No. 24.

⁴⁰Mobile Probate Court Records, Translated Spanish Records, I, 204-205, 235.

⁴¹Juan de la Villebeuvre, Census of San Esteban, San Esteban, April 16, 1797, AGI, PC, leg. 64.

⁴²Favrot, 1786 Census of the Mobile District, Mobile, January 1, 1787, AGI, PC, leg. 2361.

⁴³Villebeuvre, Census of San Esteban, April 16, 1797.

⁴⁴*Ibid.*

⁴⁵*Ibid.*

left fourteen grown children who settled in the Mobile District, particularly in the western portions near the Pascagoulas and Singing River around Krebs's lake. The farm house was still standing in 1906, at which time it was said to be 175 years old. As in many houses along the Gulf Coast, it was constructed of heavy cypress lumber which was in excellent condition almost two centuries after the house was built.⁴⁶ In the census rosters for the Mobile District the name of Krebs or its Spanish equivalent of Kreps appears in the person of Augustin Krebs, who lived at Pascagoula with his wife, children and slaves.⁴⁷ Francis Krebs asked the government for a title to Round Island in November, 1783, and the land grant was approved. This 43-year-old settler in 1786 was married to a 40-year-old wife, had two children, three mulatto slaves, and three Negro slaves working their two plantations on which they raised corn.⁴⁸ Hugo's son of the same name was married to Luisa LeFlau and lived on Royal Street in Mobile with his daughter Maria.⁴⁹ Joseph Krebs was 44 in 1786; he and his 23-year-old wife lived on a plantation with their two children, five mulatto and six Negro slaves and produced corn.⁵⁰ Margarita Krebs, who was probably Hugo, Jr.'s widow in 1796, rented her house to the commandant of Mobile for ten dollars a month.⁵¹ Maria Krebs, the widow of Hugo, Sr., lived in Mobile in 1786 at the age of fifty. She had four children and eighteen slaves on her corn-producing plantation.⁵² Mary Josephine (Juana) Krebs was the widow of Mobile militia commander Antonio de Narbonne. She died on her plantation, located on the American side of the Southern Boundary Line, on October 14, 1802, at the age of fifty-seven. She had various lots within the town of Mobile.⁵³

⁴⁶J. Hanno Deiler, *The Settlement of the German Coast of Louisiana and the Creoles of German Descent* (Philadelphia, 1909).

⁴⁷Favrot, 1785 Census of the Mobile District, Mobile, January 1, 1786, AGI, PC, leg. 2361.

⁴⁸Mobile Probate Court Records, Translated Spanish Records, I, 23-25, 1785 Census of the Mobile District.

⁴⁹*Ibid.*; Mobile Probate Court Records, Translated Spanish Records, I, 109-110, 130-131, 216; Mobile Church Records, Deaths, fol. 102.

⁵⁰Favrot, 1785 Census of Mobile District, Mobile, January 1, 1786, AGI, PC, leg. 2361.

⁵¹She rented the house from June 1, 1794, until September 30, 1796, Pay records (*asiento*), AGI, PC, leg. 538-A.

⁵²Favrot, 1785 Census of the Mobile District.

⁵³Mobile Church Records, Deaths, fol. 109; Mobile Probate Court Records, Translated Spanish Records, I, 189-190, 203-204.

The Krebs family were fiercely loyal to Spain, apparently because the Spanish government provided them with protection and, in one case, when Joseph Krebs and twelve other Pascagoulas settlers complained against the Indians killing livestock while on the road to New Orleans, the Spanish government provided the Indians with rations to prevent the practice.⁵⁴

Frontiersmen were noted for their mobility, and Ebenezer Fulson was typical of this characteristic. In the 1789 census of the Mobile District, he is listed as a 24-year-old American living with his 31-year-old wife, two children and three Negro slaves. He kept seven horses on his plantation which produced tobacco and corn.⁵⁵ His wife was probably the former widow of Samuel Lewis of Natchez, where Sarah White Lewis was married to Fulson prior to their departure for the Tombigbee. Their two sons, Miguel Nathaniel, born at St. Stephens in 1788 and baptized at that post by Father Lamport the following year, and William, both lived with their mother after Fulson moved back to the Homichitto River in the Natchez District in 1789.⁵⁶ On March 17, 1791, Governor Manuel Gayoso de Lemos named Fulson "Interpreter of the Indians at Natchez."⁵⁷ Fulson was a good choice, for he had lived with the Choctaws fifteen years since the age of ten. His brother lived among the Choctaws, and Fulson had many friendly connections among the Indians.⁵⁸ For his duties in persuading the Choctaws to cede the strip of land on which Ft. Nogales was built in 1791, and for counterbalancing the effect of a "white rascal" said to be residing among the Choctaws and trying to set the leaders against the Spanish government, Fulson earned an annual salary of \$240, although he was recommended for a raise to \$360 soon after.⁵⁹

Fulson left Natchez for Arkansas, about 1804, leaving be-

⁵⁴Petition of Joseph Krebs, *et al.* to Spanish Governor and Intendant-general (Carondelet), Pascagoulas, June 15, 1792; and Manuel de Lanzas to Carondelet, Mobile, August 1, 1792, both in Bancroft Library (Berkeley), Louisiana Collection, Box 4, Folder 391.

⁵⁵Folch, 1788 Census of the Mobile District.

⁵⁶Mobile Church Records, Baptisms, fol. 32; Mrs. W. E. Haase to Jack D. L. Holmes, Baton Rouge, September 20, 1969, letter owned by author.

⁵⁷Dispatch of Esteban Miró to Intendant, New Orleans, September 10, 1791, cited in pay records (*asiento*), AGI, PC, leg. 538-A.

⁵⁸Gayoso to Miró, Natchez, August 31, 1791, copy enclosed in Luis de las Casas to Campo de Alange, Havana, October 31, 1791, Archivo General de Simancas (Spain), Guerra Moderna, leg. 6928.

hind his wife Sarah. It is said that he explored the area of Hot Springs, Arkansas, probably paralleling the explorations of William Dunbar and Dr. George Hunter.⁶⁰

An Irishman named Cornelius McCurtin came to West Florida about 1769 and, under the Spanish government, became an officer in the militia units at Pensacola and Mobile.⁶¹ He was 36 years old in the 1788 census account, at which date he lived with his wife, eleven slaves, eighty cattle, and ten horses. His plantation produced corn and chickpeas. He also owned property on Dauphin Street in Mobile, which his widow sold prior to his death in 1807. He was married to Eufrosine P. Bausage.⁶²

Many of these settlers were so impressed with the benevolent rule of Spain, that they chose to move their homes into Spanish territory after the Treaty of San Lorenzo ceded all territory in West Florida north of the thirty-first parallel to the United States. Gerald Byrns, known as a diligent cultivator and excellent carpenter, had lived on the Tensaw River since shortly after the American Revolution. In 1798 he asked permission to emigrate to the River Pascagoula in Spanish territory, and on November 19, 1798, he received a land grant near the old French saw-mill at Ward's Bluffs on the Pascagoula River.⁶³

These settlers were humans with the usual temptations and errors that "flesh is heir to." Barton Hannon, a shoemaker who emigrated from Georgia to the Tombigbee River in 1791,⁶⁴ registered his cattle and pig-ear brands at Ft. St. Stephens on May

⁶⁰Gayoso to Carondelet, No. 93, Natchez, June 4, 1792, AGI, PC, leg. 41; pay records, AGI, PC, leg. 538-A.

⁶¹Mrs. Haase to Holmes, September 20, 1969. On the exploration in Arkansas, see John Francis McDermott (ed.), "The Western Journals of Dr. George Hunter, 1796-1805," *Transactions of the American Philosophical Society, New Series*, LIII, Part 4 (1963); and William Dunbar, "Observations Made in a Voyage . . .," *Annals of Congress*, 9th Cong., 2d Sess. (Washington, 1852), 1110 ff.

⁶²Mobile militia roster, Mobile, July 1, 1800, enclosed in Lanzós to Marqués de Casa-Calvo, No. 113, Mobile, July 1, 1800, AGI, PC, leg. 71-B; Holmes, *Honor and Fidelity*, 249; Francisco Dutillet to Captain-general, Pensacola, November 15, 1799, AGI, PC, leg. 134-B.

⁶³Folch, 1788 Census of the Mobile District; Mobile Probate Court Records, Translated Spanish Records, I, 104-105, 165-166, 233-234; II, 240.

⁶⁴List of People of Tensaw desiring to Move into Spanish Territory, Tensa, November 8, 1798, AGI, PC, leg. 206; Mobile Probate Court Records, Translated Spanish Records, I, 229-230.

⁶⁵Pickett, *Alabama*, 417.

9, 1795.⁶⁵ Less than two years later he was in Natchez circulating a petition against the government. He is mentioned by Andrew Ellicott as the immediate cause of the Natchez revolt of 1797.⁶⁶ He became so intoxicated one day that he decided to preach the errors of their religion to a group of irate Irish-Catholics at Natchez-Under-The-Hill. He was soundly thrashed, complained bitterly to Governor Gayoso and demanded compensation for his injuries, was ordered confined to the stocks in the fort, and precipitated the uprising.⁶⁷

Dr. Thomas Blair, a Mobile surgeon, was imprisoned on a paternity suit charged by Jabota Chastang, daughter of the prominent Chastang family of South Alabama. Dr. Blair escaped jail while awaiting trial.⁶⁸ Dr. John Chastang was disgusted at the episode. A landowner on the Tensaw and Tombigbee Rivers, he was the master of Harigay Hall where slaves raised corn, peas, rice and potatoes.⁶⁹

All good studies should bring in some sex to keep readers and listeners awake! Joseph Chastang came to Father Vaugeois at Mobile in 1804 complaining about the misconduct of Agustin Rochon, a lieutenant in the Mobile militia and the son of the prominent landowner, Agustin Rochon. The young Rochon, according to Chastang, had been seeing his daughter, Goton. She had refused him sexual favors despite his importuning until he promised that his friend, Benjamin Dubroca, son of another prominent Mobile settler, would marry Goton's sister, Jabota, who had been seduced and impregnated by Dr. Blair. Needless to say, both girls lost their virtue and Chastang demanded damages of \$2,000 for the insult.⁷⁰

We could go on for hours with the foibles, the accomplishments, and the frustrations of Alabama's first settlers. Perhaps this brief account will persuade scholars to delve into the records concerning these forgotten people. History owes them more recognition.

⁶⁵AGI, PC, leg. 222-b.

⁶⁶Jack D. L. Holmes (ed.), *Documentos inéditos para la historia de la Luisiana, 1792-1810* (Madrid, 1963), 316-355.

⁶⁷*Ibid.*

⁶⁸Carondelet to Lanzós, New Orleans, March 25, 1795, AGI, PC, leg. 22.

⁶⁹*American State Papers, Public Lands*, I, 631, 638, 671, 672-673, 780, 801.

⁷⁰Mobile Church Records, Matrimonial Book, Vol. I.

THE GULF COAST: KEY TO JEFFERSONIAN EMPIRE

by

John Hawkins Napier, III

Today the Alabama and Mississippi Gulf Coasts are known mainly as pleasant beach resort areas backed by pine forestlands, or at least they were until the August 18, 1969, destruction wrought by Hurricane Camille. However, 170 years ago, as parts of Spanish West Florida, they were the storm center of another kind — a vortex of power politics that embroiled four major nations, threatened war, led immediately to peaceful American acquisition of its first territorial empire, then a forcible conquest of alien-held territories, and provided ultimately the impetus and springboard for further empire both in North America and overseas.

In 1800 West Florida comprised those lands bordering on the Gulf of Mexico, between the Mississippi and Perdido Rivers, south of 31° north latitude, the Southern boundary of the United States as accepted by Spain in the Pinckney Treaty of 1795.¹ It included present-day Alabama's two Gulf Coast counties, Mississippi's southern tier of six counties, plus Louisiana's eight "Florida Parishes," which lie south of the old demarcation line of 31°, and east of the Mississippi extending to the river Iberville, Lakes Maurepas and Pontchartrain, thence to the Gulf.

Originally part of French Louisiana and including its first capitals at Biloxi and Mobile, West Florida (as the British first named it) was ceded to Great Britain, along with Canada, by His Most Christian Majesty in 1763 at the end of the Seven Years' War. In the same Peace of Paris, the King of Spain ceded the present-day state of Florida (or East Florida, as the British called it) to His Britannic Majesty,² and in return received Louisiana from France and regained Cuba from Great Britain. The British fixed the boundary between their two Floridas at the Apalachicola River, and soon extended the northern boundary of West Florida to a line extending from the mouth of the Yazoo River east to the Apalachicola.³ However, when the

¹Excerpted in Ruhl J. Bartlett, ed., *The Record of American Diplomacy* (New York, 1947), 84.

²*Ibid.*, 11.

³*Ibid.*, 12, 13.

United States gained their independence from Great Britain in 1783, the peace treaty placed the international boundary again at 31°. Meanwhile, Spain had wrested the two Floridas from Great Britain in 1781 during the course of the Revolutionary War.⁵

By 1800, while Spain held both the Floridas with the Gulf Coast and Louisiana with New Orleans, thus controlling access to the Gulf of Mexico, American settlers were filling up the Old Southwest, from the Ohio River down to the demarcation line at 31°. The 1795 Treaty guaranteed American frontier boatmen the right of deposit, or *entrepot*, for their goods at New Orleans, so that they could be trans-shipped abroad. The treaty arrangement was satisfactory, but the potential for trouble was inherent in the situation as the interior of the country was developed. Little did Thomas Jefferson realize, when, on March 4, 1801, he became third president of the United States, that the Gulf Coast would claim so much attention during his first administration.⁶

American citizens had begun to feel secure in the Old Southwest over their access to the outside world when two unsettling events occurred: First, rumors reached President Jefferson in May, 1801, that Napoleon Bonaparte had pressured Spain to retrocede Louisiana to France, presumably including the "island of New Orleans" and the two Floridas by the secret Treaty of San Ildefonso which was signed October 1, 1800. First hints of the Corsican's imperial designs in North America did not at first alarm the American public. Then, these rumors were followed by the news that on October 16, 1802 the Spanish intendant at New Orleans, Don Juan Ventura Morales, had suspended the right of deposit there without naming an alternate *entrepot*. This was a violation of the 1795 Treaty, which stipulated that if the King of Spain "... should not agree to continue it there, he will assign to them on another part of the banks of the Mississippi an equivalent establishment"

⁵*Ibid.*, 13, 39. As discussed, Spain would not agree to this border for 12 more years.

⁶The capitulation was summarized by a witness in J. F. H. Claiborne, *Mississippi as a Province, Territory and State*, (Jackson, Miss., 1880), 125-6.

⁷Thomas P. Abernethy, *The South in the New Nation, 1789-1819* (Baton Rouge, 1961), 242. Hereafter, Abernethy, *The South*.

⁸Bartlett, *op. cit.*, 85.



NAPOLEON BONAPARTE

From an engraving in Alabama Department of Archives
and History.

Today, it is difficult to apprehend the cataclysmic nature of this news to the young Republic. A weak Spain on its southern and western boundaries was but a nagging irritant, but Napoleon's control and probable closure of the Gulf Coast and the mouth of the Mississippi was a grave threat to the infant United States. The blame for closing New Orleans was promptly and furiously laid at his door, since Spain was his ally and near-vassal. It made little difference that Morales had acted on his own authority over the opposition of the Spanish governor, or that the First Consul was not directly responsible. And to an extent the Americans were correct, for the closure of the port was a consequence of the retrocession.⁸

Kentucky and Tennessee clamored for war, fearing that Ventura Morales' suspension was but a foretaste of what to expect from France. If the United States waited for the French army to establish itself on the lower Mississippi, how many lives would it cost to dislodge them?

Even if the United States allied itself to the British fleet, Americans were virtually powerless to mount any such campaign. In March, 1802, the Regular Army had been reduced from 5,438 to 3,220, and War Department expenditures were less than \$1.2 million.⁹ The infant American naval squadrons had just emerged from the "Quasi-War" with France and were in the Mediterranean fighting the Barbary Pirates. The national debt inhibited greater expenditures for defense, and yet the effect on the West of a France strongly ensconced at New Orleans could not be taken lightly. War, and even the Union might be at stake.¹⁰

Rufus King, United States Minister to Great Britain, voiced a further fear that the French Government would probably send to Louisiana not only French settlers, but might also "... add to them all the refractory and discontented blacks and persons

⁸Henry Adams, *History of the United States of America During the First Administration of Thomas Jefferson* (New York, 1898), I, 418-19.

⁹The Stackpole Co., *The Army Almanac* (Harrisburg, Pa., 1959), 111, 419; and U. S. Department of the Army, *American Military History 1607-1958* (Washington, 1959), 119.

¹⁰Adams, *op. cit.*, I, 421-22.

of color of their West India colonies.”¹¹

It is necessary to examine Napoleon's aims at that point, Thomas Jefferson's diplomatic strategy, and why West Florida was a key to the whole issue. Napoleon had regained Louisiana primarily to use as his granary for a re-conquered St. Domingue. It had been France's wealthiest colony until the Negro slave revolt there had detached it from France's grasp.

Napoleon dispatched his brother-in-law, General Charles Leclerc, with an army of 17,000 to retake the island. His ranks melted away in furious battles with the blacks and under the scourge of yellow fever; and their reinforcements died, as well. In September, 1802, Leclerc wrote Bonaparte that only 4,000 of the 28,000 soldiers already sent were still fit for service. He would need 12,000 more immediately, and 5,000 more in the summer, but he himself died within the month.¹² Ultimately, 50 French generals and 45,000 men of the punitive expedition succumbed to battle and disease. Storming furiously, "Damn sugar, damn coffee and damn colonies!" Napoleon decided to abandon St. Domingue, and a Louisiana he would no longer need and neither of which could he count on holding, once the expected renewal of the war with Great Britain erupted.¹³ Of course, President Jefferson did not know of these changed calculations.

For his part, he was on the horns of a dilemma. His Federalist political opponents were satisfied that he must abandon his pro-French neutrality and make war on France or risk the dissolution of the Union, and they hoped that democracy might soon meet its fateful crisis. Everyone watched for a sign of his intentions, but in spite of frequent menaces, his policy was expressed in his phrase, "Peace is our passion." Jefferson's policy would prove to be the waiting game — to pursue his ends by diplomatic means; and his hope was to gain time to do so.¹⁴

¹¹U. S. Department of State, *State Papers and Correspondence Bearing Upon the Purchase of the Territory of Louisiana* (Washington, 1903), 15. Hereafter *State Papers*.

¹²Adams, *op. cit.*, I, 418.

¹³E. Wilson Lyon, *Louisiana in French Diplomacy, 1759-1804* (Norman, Okla., 1934), 194.

¹⁴Adams, *op. cit.*, I, 427-28.

Jefferson was quite aware of the dangers facing him. Six months before New Orleans was closed he wrote Robert R. Livingston, United States Minister to France:

The cession of Louisiana and the Floridas¹⁵ by Spain to France works most sorely on the United States. . . . It completely reverses all the political relations of the United States. . . . Of all nations of any consideration, France is the one which hitherto, has offered the fewest points on which we could have any conflict of right . . . [but] There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans . . . France, placing herself in that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years. . . . The day that France takes possession of New Orleans, fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment, we must marry ourselves to the British fleet and nation.¹⁶

He warned that such a change of friends would embark us "necessarily as a belligerent power in the first war of Europe," in which case New Orleans would be wrested from France. France did not need Louisiana, but if she considered it indispensable,

. . . she might be willing to look about for arrangements which might reconcile it to our interests. If anything could do this, it would be the ceding to us the island of New Orleans and the Floridas.¹⁷

He continued that such cession would remove the causes of irritation, and relieve the United States of making "arrangements in another quarter." Still, he added, and affirmed in a cover letter to his friend and courier, Pierre Dupont de Nemours, the cession of New Orleans and the Floridas would be no more than a "palliation." If France took Louisiana, ultimately it would result in war.

¹⁵The Americans assumed that the Floridas had been included in the retrocession. They were supposed to be, on French demand.

¹⁶*State Papers*, 15-16.

¹⁷*Ibid.*, 17.

Nonetheless, from the very outset obtaining New Orleans and the two Floridas had bulked larger in the American mind than Louisiana for some years. Unaware that Spain had not ceded the Floridas, it was only the area east of the Mississippi which Jefferson sought to possess, thus rounding the natural boundaries of the country.¹⁸

In 1798, the British Minister to the United States believed that the Adams administration was ready to conquer the Floridas and Louisiana, and he thought, erroneously, that the United States would be willing to sanction Great Britain's obtaining St. Domingue and other French West Indian colonies. Without territorial gains for themselves, however, the British were unwilling to support the United States and nothing came of that scheme.¹⁹

In 1800, Major General Alexander Hamilton, as active head of the Provisional Army, planned a series of campaigns on the Floridas' borders to extend to all of Spanish America. Adams, however, preferred diplomacy to militarism and Hamilton.²⁰

Obviously, the United States did not risk war to gain New Orleans and the Floridas merely out of an artistic sense of symmetry! The area had great intrinsic importance of its own, and it was more than a counter, or pawn, for Louisiana. Ironically, President Jefferson's anxiety to possess the Floridas, not in the behest of Napoleon, became the overriding influence in his attitude toward France.²¹

In the first place, West Florida controlled the east bank of the lower Mississippi, and surrounded the island of New Orleans on the east. Possession of West Florida would assure Americans not only of the control of the Mississippi and the New Orleans choke-point, but also of the other river outlets to the Gulf from the lower Southwest: the Pearl, the Pascagoula,

¹⁸Hubert B. Fuller, *The Purchase of Florida: Its History and Diplomacy* (Cleveland, 1906), 124.

¹⁹Rembert W. Patrick, *Florida Fiasco: Rampant Rebels on the Georgia-Florida Border, 1810-1815* (Athens, Ga., 1954), 20.

²⁰Issac J. Cox, *The West Florida Controversy, 1798-1813* (Baltimore, 1918), 66. Hereafter, Cox, *Controversy*.

²¹Issac J. Cox, "The Pan-American Policy of Jefferson and Wilkinson," *Mississippi Valley Historical Review*, I (September, 1914), 212.

and above all, the Mobile. There were already enough settlers up the Mobile, in present-day Alabama, seeking an outlet for their products that “. . . the navigation of the Mobile was presenting a problem second to that of the navigation of the Mississippi.”²² This obviously created political pressure on the new capital at Washington.

West Florida had an additional strategic importance at that time: By its possession, the United States could even bypass New Orleans and the Mississippi Delta. Although the lower Mississippi was the main artery of commerce, there were two alternate routes to the Gulf from above and via New Orleans through West Florida. One led by the canal Governor Carondelet had constructed from New Orleans' ramparts to Bayou St. John, which empties into Lake Pontchartrain, and by which small vessels could navigate thence into Lake Borgne and eastward into the Gulf. Also, during the high water (February to June) such vessels could leave the Mississippi at Bayou Manchac above New Orleans, follow the Iberville River to its junction with the Amite, thence through Lakes Maurepas, Pontchartrain and Borgne into the Gulf.

Via these routes, considerable coastal commerce was carried on with Mobile and Pensacola. From the Floridas, New Orleans imported ship timber, pitch, tar, charcoal, lime and cattle. In 1802, 500 sloops and schooners of eight to 400 tons were employed in this trade route. Overland along the coast there were no roads, only paths through the forests.²³ When the British ruled West Florida they considered such a route, and Jefferson and Treasury Secretary Albert Gallatin knew of it, also.

Further, when Livingston failed to evince a response from the French by his offer to buy the whole Florida area in January, 1803, he stated his willingness to settle for West Florida. This would give the United States control of the east bank of the Mississippi and Mobile Bay, thus minimizing the importance of New Orleans.²⁴ One authority states that with possession of such route,

²²Cox, *Controversy*, 66.

²³Abernethy, *The South*, 256-57.

²⁴Cox, *Controversy*, 73.

The United States would also be able to disregard any feeble colonies the French could maintain West of the Mississippi, and even acquiesce in her possession of Pensacola and St. Augustine.²⁵

There were other strategic considerations and complications centering on West Florida. France also wanted to obtain Louisiana partly to check the American frontiersmen and their commerce. Therefore, they would oppose a cession of Florida, since that would go far to defeat France's purpose. Besides, France herself wanted the Floridas, whose strategic value would later be appreciated by the British in the War of 1812, when they based their invading fleets en route to New Orleans, on Mobile and Pensacola. The British opposed Spanish cession of West Florida to the United States, and Westerners suspected that the British wanted to regain it themselves. Jefferson realized that New Orleans could not be defended nor navigation of the Mississippi secured as long as West Florida remained Spanish.²⁶

For their part, the Spanish viewed with alarm a cession which would give the United States ports on the Gulf so near Cuba, on which Jefferson had his eye,²⁷ along with their other American possessions. France had persuaded Spain that it was desirable to have France as a barrier between the Americans and the Spanish colonies, and American attempts to buy the Floridas seemed to bear out the French predictions.²⁸ Minister Livingston said as much in a letter to Secretary of State James Madison on May 20, 1803, recommending that the United States insist on claiming that West Florida was included in the Louisiana Purchase:

With this [West Florida] in your hand, East Florida will be of little moment, and may be yours whenever you please. At all events, proclaim your right and take possession.²⁹

²⁵*Ibid.*, 74.

²⁶Wilburt S. Brown, *The Amphibious Campaign for West Florida and Louisiana, 1814-1815* (University, Ala., 1969), 34-35.

²⁷William H. Callcott, *The Caribbean Policy of the United States, 1890-1920* (Baltimore, 1942), 3, 4, 6.

²⁸Fuller, *op. cit.*, 100.

²⁹Bartlett, *op. cit.*, 111.

In other words, an early domino theory! In its turn, the Florida peninsula was held essential to the free flow of commerce from the Mississippi Valley to the Atlantic as long as European powers held the West Indian islands.³⁰

Slippery Brigadier General James Wilkinson, simultaneously United States military commander in the Southwest and secretly pensioner of and mercantile advisor to Spain, pointed out to Vizente Folch, Spanish *comandante propietario* at Pensacola, that the Floridas were the key to the New World. With them Spain could control American commerce on the Mississippi and the Gulf, exert a powerful influence on the neighboring Indians, and check every American effort to press further Western claims. However, if Spain yielded the Floridas, Wilkinson said that the Western frontiersmen:

. . . like the ancient Goths and Vandals would precipitate themselves on the weak defenses of Mexico, overturn everything in their path, and propagate in their course the pestilential doctrines that had destroyed the most valuable part of Europe and deprived whole kingdoms of their foundations.³¹

Having delivered himself of this apocalyptic vision, this uniformed intriguer nonetheless advised Folch that Spain would do well to exchange the Floridas for the west bank of the Mississippi! For his part, Folch advised his superiors to keep the Floridas as a rampart to protect Cuba. What reasoned the Spanish, sensing the Americans' insatiable expansionist drive, would prevent the Americans from pressing south into Mexico and even further?³² They had grounds for their fears for as Samuel Flagg Bemis pointed out:

Jefferson was determined to have West Florida immediately, East Florida eventually, and in due time even more of Spain's uncontested possessions.³³

³⁰Patrick, *op. cit.*, 30.

³¹Quoted in Cox, *Controversy*, 91.

³²Nathan Schachner, *Thomas Jefferson: A Biography* (New York, 1951), II, 714.

³³Samuel Flagg Bemis, *A Diplomatic History of the United States* (5th ed., New York, 1965), 183.

Later, once Louisiana and West Florida were in American hands, others would concur with Wilkinson's prediction on Mexico. Spanish Foreign Minister Don Pedro Cevallos protested that: "Now, the doors to Mexico are to stay open to them." Even earlier, Andrew Jackson wanted to counter the closure of New Orleans by taking his Tennessee militia south to cut his way "through the damned greasers to the City of Mexico."³⁴ Once the nascent Mexican nation emerged, its earliest suggestions of state policy would be marked by suspicion of the United States. In 1830 conservative Mexican historian Lucas Alaman warned his countrymen against the designs of the United States government, as displayed earlier against West Florida.³⁵ After the United States obtained Louisiana, Spain considered regaining it as a buffer and offering to transfer East and West Florida with commercial facilities in New Orleans to the United States in exchange. Several influential Americans favored such an exchange, but for different reasons certainly.³⁶

The contemporary comparative valuation placed on the Floridas and Louisiana was vastly different, and it must be remembered that the United States bid for the former and ended up with the latter. Most present-day Americans are taught what a tremendous bargain the Louisiana Purchase was and the incalculable effects it was to have on the future of this country, but this modern evaluation was not comprehended in 1803. Then, without the Floridas, Louisiana lacked much of its value, for it was nearly indefensible and lacked any ports on the Gulf, whereas both Mobile and Pensacola had excellent harbors and were used as Spanish naval stations.

Napoleon had tried to pressure Spain into ceding him the Floridas, Livingston reported to Secretary Madison on November 2, 1802, when he apparently learned that the Floridas were *not* included in the retrocession of Louisiana, as the Americans had assumed. France offered to sell the Duchy of Parma to Spain for 48 million livres (about \$8.8 million — we finally paid \$15 million, for all of Louisiana), *or* exchange it for the Floridas.

³⁴Both quoted in Thomas P. Abernethy, *The Burr Conspiracy* (New York, 1954), 8.

³⁵Cox, *Controversy*, 665.

³⁶Abernethy, *The South*, 262.

Livingston wrote: "You can see by this the value they put on Florida."³⁷

Spain argued that Great Britain and the United States would league together to prevent Napoleon from gaining the two Floridas. Napoleon was annoyed at the Spanish refusal, and took it as a personal rebuff, since the demand originated with him. Charles Maurice de Talleyrand, his Foreign Minister, advised him to settle for West Florida, if he could get it.

West Florida suffices for the desired enlargement of Louisiana; it completes the retrocession of the French colony, such as it was given to Spain; it carries the eastern boundary back to the river Apalachicola; it gives us the port of Pensacola, and a population which forms more than half that of the two Floridas. By leaving east Florida to Spain we much diminish the difficulties of our relative position in regard to the United States — difficulties little felt today, but which some day may be of the gravest importance.³⁸

However, the Spanish continued to refuse, and Livingston judged that Napoleon's inability to persuade Spain to cede either or both of the Floridas weakened his desire to keep Louisiana, even before Leclerc's debacle.³⁹ Those two factors, plus his realization of the violence of American feelings over the close of New Orleans,⁴⁰ predisposed Napoleon to abandon his New World schemes, and turn his attention eastward — to Europe once more, and to Egypt and India.

Thus, he offered Livingston and Jefferson's envoy extraordinary, James Monroe, all or none, and as one leading historian assessed their dilemma, ". . . unless they took all, they would not obtain the all-important window on the gulf for which they had come."⁴¹

³⁷Quoted in Fuller, *op. cit.*, 104.

³⁸Quoted in Adams, *op. cit.*, I, 401-02.

³⁹Lyon, *op. cit.*, 192.

⁴⁰Spain, alarmed by the Americans' anger, reopened New Orleans to them. Charles Carroll Griffin, *The United States and the Disruption of the Spanish Empire, 1810-1822* (New York, 1937), 19.

⁴¹Thomas A. Bailey, *A Diplomatic History of the American People* (3rd ed., New York, 1947), 101.

Jefferson's valuation of Louisiana varied directly with his assessment of maintaining interior America's outlet to the sea. He told Livingston in October, 1802, that France's occupation of Louisiana was not worth the risk of a breach of peace. But within a week, he learned of the closure of New Orleans, and a breach appeared unavoidable.⁴² After the fact of the Louisiana Purchase he was to write John Dickinson on August 9, 1803, that the acquisition of New Orleans was a good thing,

. . . but that of Louisiana is inappreciable, because, giving us the sole dominion of the Mississippi, it excludes those bickerings with foreign powers, which we know of a certain would have put us at war with France immediately; and it secures to us the course of a peaceable nation.⁴³

Nonetheless, Jefferson's instructions to Monroe limited him specifically to try to get only New Orleans and the Floridas, bidding high for them if necessary; if that failed, to secure the right of deposit; and if Napoleon would not grant that, to offer up to \$10 million for commercial privileges for ten years. Henry Adams concluded: "In brief, they offered to admit the French to Louisiana without condition."⁴⁴ Privately, Jefferson preferred Natchez over New Orleans as the seat of American trade.

Even when the French surprised the American envoys by offering all of Louisiana, Livingston reported to Madison:

I told him [Finance Minister Francois Barbe-Marbois] that the United States were anxious to preserve peace with France; that, for that reason, they wished to remove them to the west side of the Mississippi; that we would be perfectly satisfied with New Orleans and the Floridas, and had no disposition to extend across the river . . .⁴⁵

However, once the United States did gain all of Louisiana, and had obtained their principal objective of untrammelled access down the Mississippi into the Gulf, they still were bound

⁴² Adams, *op. cit.*, I, 424.

⁴³ Paul Leicester Ford, ed., *The Writings of Thomas Jefferson* (New York, 1897), VIII, 261, Hereafter, *Jefferson, Writings*.

⁴⁴ Adams, *op. cit.*, I, 442.

⁴⁵ In Bartlett, *op. cit.*, 109.

and determined to get the Floridas. In the treaty negotiations, Livingston and Monroe tried unsuccessfully to get the French to admit that Louisiana included the Floridas. They argued that the wording of the 1800 Treaty of San Ildefonso included them:

His Catholic Majesty promises and engages on his part to retrocede to the French Republic . . . the colony or province of Louisiana, with the same extent it now has in the hands of Spain, *and that it had when France possessed it.*

Similarly, the treaty of cession of Louisiana to the United States ceded:

. . . the said territory, with all its rights and appurtenances, *as fully and in the same manner as they had been acquired by the French Republic*, in virtue of the above-mentioned treaty, with His Catholic Majesty.⁴⁶

Livingston professed to believe that the Louisiana boundary extended east to the Perdido, and pressed Talleyrand as to the eastern bounds:

He said he did not know; we must take it as they received it. I asked him how Spain meant to give them possession? He said, according to the words of the treaty. But what did you mean to take? I do not know. Then you mean that we shall construe it our own way? I can give you no direction; you have made a noble bargain for yourselves, and I suppose you will make the most of it.⁴⁷

The French vagueness was deliberate, and apparently designed to embroil Spain and the United States. Talleyrand asked Napoleon what the treaty phrases in question meant, and Napoleon answered that: "If an obscurity did not already exist, it would be perhaps good policy to put one there."⁴⁸

No sooner was the treaty signed than the American commissioners, the Secretary of State and the President decided

⁴⁶Both treaties excerpted in Francois-Xavier Martin, *The History of Louisiana* (rev. ed., New Orleans, 1882), 459. Underlines added.

⁴⁷Livingston to Madison, May 20, 1803 in Bartlett, *op. cit.*, 111.

⁴⁸Quoted in Bemis, *op. cit.*, 181.

that the sale did include as much of West Florida as had formed part of Louisiana before 1763.⁴⁹

... so anxious was the Administration to control the Gulf Coast east of the Mississippi and so little value did it attach to lands west of that river that it made no attempt to occupy Texas, but insisted on a specious claim to the land France had originally occupied as far east as the Perdido River.⁵⁰

However, the French cession of West Florida to the British in 1763 had clearly severed it from Louisiana.

Thus, the claim was specious, but Jefferson wrote John Dickinson that "The unquestioned bounds of Louisiana are the Iberville and Mississippi on the East . . .," that the United States had some "pretensions" to extending the western bounds to the Rio Norte, or Bravo, and "still stronger the eastern boundary to the Rio Perdido . . . we shall get the Floridas in good time."⁵¹ Channing, Bemis, and Bailey all agree that Monroe and Livingston knew that they were not buying the Floridas when they signed the cession treaty.⁵² Henry Adams wrote of Livingston's rationalizations: "He discovered that France had actually bought West Florida without knowing it, and had sold it to the United States without being paid for it."⁵³

The year after the purchase Talleyrand specifically denied that France had acquired the territory east of the Mississippi;⁵⁴ however, Livingston would have had a better case had he had access to Spanish documents now available, which show that after 1783 West Florida actually had been reincorporated back into Louisiana's jurisdiction.⁵⁵ The fact is, that France never did reassert effective control of Louisiana and was in no position to state what the Spanish jurisdiction of it in fact was.

⁴⁹Edward Channing, *The Jeffersonian System 1801-1811* (New York, 1906), 76.

⁵⁰Abernethy, *The South*, 252.

⁵¹Jefferson, *Writings*, VIII, 261.

⁵²Channing, *op. cit.*, 76; Bemis, *op. cit.*, 181; Bailey, *op. cit.*, 162.

⁵³Adams, *op. cit.*, II, 246-47.

⁵⁴Fuller, *op. cit.*, 122.

⁵⁵Bemis, *op. cit.*, 182.

It is significant that when Louisiana was handed over to the United States, they were given the orders from the Spanish authorities to deliver all posts on the west side of the Mississippi and the island of Orleans, but comparable orders for the delivery of the posts in West Florida were not offered to the American commissioners, nor did they demand them. Madison told Livingston that Spain would have refused, and possibly France would have concurred with the refusal, which would have clouded the title, and given the choice of submitting to the refusal or resorting to force. He claimed that silence while learning France's views then would not prejudice a later plea that delivery of part, as at the Place d'Armes in New Orleans, was equivalent to delivery of the whole.⁵⁶

Jefferson never did get the Floridas, although on his retirement from office he vowed, "We must have the Floridas and Cuba."⁵⁷ Madison and Monroe would have better luck. Nevertheless, it would take up to 16 years of both quiet and bellicose diplomacy, attempted bribery, border incursions, guerrilla warfare, establishment of a puppet revolutionary government, the lone star "Republic of West Florida," outright invasion, occupation, and a full-scale war to realize Jefferson's ambition.

The Floridas were an important prize for reasons of location and strategy, instead of intrinsic economic or demographic worth. Jefferson himself termed the country "a barren sand" 600 miles long and 30 to 50 miles wide, except for rich mud bottoms on the borders of West Florida's rivers.⁵⁸ Earlier, Charles Pinckney, United States Minister to Spain, in trying to persuade Spain to cede the Floridas, had argued that:

. . . as colonies for production and advantages, the sterility of the soil of the Floridas and particularly the eastern make them a yearly loss to the Spanish government . . .⁵⁹

Most of the scattered population of West Florida was in the western portion, which resembled the Natchez District

⁵⁶ Fuller, *op. cit.*, 125-26.

⁵⁷ Quoted in Bailey, *op. cit.*, 163.

⁵⁸ Jefferson to Dupont, Feb. 1, 1803, *State Papers*, 95.

⁵⁹ Letter to Foreign Minister Cevallos, March 24, 1802, in Fuller, *op. cit.*, 102-03.

physically, with communities found on the lakes and streams as far eastward as the Pearl, with isolated settlements at Bay St. Louis, Pass Christian, Biloxi, Pascagoula, and the important settlements around Mobile. The early settlers were a mixed lot. Of the West Feliciana District it has been written:

A curious population, that of this province since the purchase of Louisiana — a notable congregation of evil-doers; Englishmen, Spaniards, renegade Americans, traders, land speculators, army deserters, fleeing debtors, fugitives from justice, filibusterers, pirates and others of like ills. . . .

But beyond the Pearl, conditions were even worse. Here, for years, there had been no pretense of enforcing law or preserving order. The character of the people of that section was even more hopeless than those of West Florida.⁶⁰

Jefferson wrote Col. Ephraim Kirby on July 15, 1803, for information on the settlements east of Pearl River, and received a scathing judgment of the inhabitants, in what Kirby termed:

. . . an assylum [sic] to those who prefer voluntary exile to the punishments ordained by law for heinous offenses. The present inhabitants (with few exceptions) are illiterate, wild and savage, of depraved morals, unworthy of public confidence or private esteem; litigious, disunited, and knowing each other, universally distrustful of each other. The magistrates without dignity, respect, probity, influence or authority. The administration of justice, imbecile and corrupt. The militia, without discipline or competent officers.⁶¹

Despite sterile soil and not-so-sterling settlers, West Florida had become critical temporarily through international rivalry. It proved important enough to modify Napoleon's imperial and commercial plans, and ultimately furthered Jefferson's Pan-American views. American diplomacy to obtain West Florida ended by unlocking the Mississippi valley and peacefully gaining a territorial empire nearly equal in size to the Republic. It made

⁶⁰*Ibid.*, 182-83, 186.

⁶¹Kirby to the President, May 1, 1804, Clarence Edwin Carter, ed., *The Territorial Papers of the United States: Mississippi Territory* (Washington, 1937), V, 323-24.

lands available to which to remove the Indians east of the Mississippi, so the Old Southwest could be settled. Westward it afforded a springboard to expand to the Pacific Ocean and the Rio Grande.

East- and southward it afforded another springboard that would ultimately afford hegemony in the Gulf, economic penetration into Latin America, and creation of an American *mare nostrum* in the Caribbean. Acquisition of Florida was an important factor in the promulgation of the Monroe Doctrine,⁶² and the removal of European powers from the southern frontier of the United States made it possible to pursue a policy independent of Europe for a century. Their removal also made it possible to end the Indian raids across the border, which Spain and England had abetted from sanctuary. The conquest of West Florida was the only American territorial gain in the War of 1812 and set the precedent for later American forcible acquisition of territory. Possession of the two Floridas, thus, gave the United States both security and national opportunity. Or, in present-day terms, the question of the Floridas became a domino theory in action.

⁶²See John Quincy Adams' recollections of a Cabinet discussion on November 16, 1819 in Bartlett, *op. cit.*, 187.



WILLIAM H. SKAGGS

WILLIAM HENRY SKAGGS
AND THE REFORM CHALLENGE OF 1894

by

Terence Hunt Nolan

Populism, or its camouflaged euphemism, Jeffersonian Democracy, was not a popular philosophy to embrace. It was the party of the have-nots; one did not join for prestige.¹ Failing in 1890 to attain reform by seizing control of the Democratic Party, the Populists formally broke with the Democrats in 1892. Unsuccessful in 1892, the next year the reformers turned to William Henry Skaggs, a curious selection considering his past, for philosophical and organizational leadership. Married to the socially prominent granddaughter of William Lowndes Yancey, Skaggs had been elected mayor of his native Talladega at the age of 23, owned a successful bank, and had achieved such acclaim as a business leader so as to advise President Benjamin Harrison on the problems of the South.² Why a prominent, wealthy, and influential man such as Skaggs turned from the Organized Democracy to a movement plagued by social ostracism is not entirely clear.

Detractors of Skaggs maintained that it was due to the rejection of his application for the office of comptroller of currency under the Cleveland administration that caused his defection.³ Other critics cited economic debacle—the failure of his bank and other business interests—as the reason for Skaggs's defection to the ranks of the traitors.⁴ Envy of "Evangel" Manning's "commanding station operating on Skagg's susceptibilities" was the reason given by one paper.⁵ The paper was referring to the brilliant Joseph Columbus Manning, a youthful native

¹Sheldon Hackney, *Populism to Progressivism in Alabama* (Princeton, 1969), 3.

²Talladega *Reporter and Watchtower*, April 8, 1885; William H. Skaggs to John W. DuBose, April 28, 1891, John W. DuBose Papers, Alabama Department of Archives and History, Montgomery; Talladega *Our Mountain Home*, July 2, 1890; William H. Skaggs Biographical Folder, Alabama Department of Archives and History.

³Guntersville *Democrat* quoted in Eufaula *Times and News*, May 10, 1894.

⁴Opelika *Industrial News*, July 19, 1894.

⁵Talladega *Our Mountain Home*, June 27, 1894.

of Clay County who pushed for the triumph of Populism over the Democratic Oligarchy.

There is substantial evidence that none of the above was the prime reason. As early as 1890, Skaggs had called for reform.⁶ In 1892, speaking *for* Cleveland, he had warned that Alabama was in danger and asserted that it was "time that ward politicians and demagogues take a back seat, and at this stage of the game the voice of the people should be respected."⁷ There was no doubt in Skaggs's mind that the voice of the people had not been respected in 1892. He concurred with Democrat Robert McKee's evaluation. The aristocratic McKee was hardly a radical. Yet he had written Skaggs that "the 'bosses' defeated the will of the democratic people in 1890 by perfectly legal methods, and the people submitted. In 1892, the will of the people was defeated by illegal and revolutionary acts, and the people revolted. Reasonable and righteous propositions to restore the auto-revolutionary status have been rejected with scorn and insult."⁸

In October, 1893, Skaggs attended the Pan American Conference, ostensibly a meeting to promote hemispheric cooperation, but also a gathering of reformers of all kinds, with Joseph Manning.⁹ If Skaggs had not been converted when he left Alabama, he most definitely was when he returned. In a speech at Dry Valley, Skaggs asserted that the next Democratic Convention should vigorously denounce Cleveland's policy and that candidates be selected who would enact laws that would be in line with the interest of the people.¹⁰ The press, which had been so effusive in its praise of "one of Alabama's fine sons," began looking askance at Skaggs's activities. The Talladega *Our Mountain Home* reported that Skaggs had placed himself "squarely against the administration and in sympathy with the masses against the classes" and lamented that although the *Home* usually found a way to defend its citizens—in Skaggs's case, "we are powerless to do so."

⁶New York *Times*, March 17, 1890.

⁷Birmingham *Age-Herald*, June 4, 1892.

⁸Robert McKee to William H. Skaggs, December 29, 1893, Robert McKee Papers, Alabama Department of Archives and History.

⁹Talladega *Our Mountain Home*, October 11, 1893.

¹⁰*Ibid.*, December 27, 1893.

In the 1894 elections, Skaggs had no desire to break completely with the Organized Democracy; he had hoped for reform from within. Skaggs had been an early supporter of Captain Joseph F. Johnston against William C. Oates and Joseph C. Rich for the gubernatorial nomination.¹¹ In return for his support, Skaggs demanded a pledge from Johnston to repudiate the Cleveland administration and to insist upon honest elections, both of which, Skaggs felt, were "antagonistic to the usurpations of the Executive Committee of the Organized Democrats."¹² If Johnston failed to respond in "plain, unmistakable terms," Skaggs informed him he would withdraw his support and join the Jeffersonian Democracy. Reassurance from Johnston was not forthcoming, and Skaggs went to Birmingham on February 8, for the Jeffersonian Convention.¹³

The Jeffersonians and the Populists met separately in the morning and jointly in the afternoon of February 8.¹⁴ There were various estimates of the number of delegates in attendance. The *Troy Jeffersonian* placed the number at over 1,200.¹⁵ The Democratic *Montgomery Advertiser* put the total at 600, and observed that all the delegates were staying at cheap hotels.¹⁶ Regardless of their number or lodging the overwhelming majority were for Kolb.¹⁷

The chairman of the Jeffersonians, A. T. Goodwyn, named Skaggs to head the Platform Committee.¹⁸ The platform called for a free ballot and an honest count, a contest law for state offices, the free coinage of silver at sixteen to one, an expansion of the circulating medium to \$50 per capita uncontrolled by corporate enterprises, a tariff for revenue on importations levied to protect the laborer against the labor of foreign countries, a graduated income tax, more educational facilities and better administration of school laws, removal of convicts from the mines, the lien laws amended, state inspectors of weights and measures,

¹¹Union Springs *Herald*, April 18, 1894.

¹²William H. Skaggs to Robert McKee, March 19, 1894, Robert McKee Papers.

¹³Mobile *Daily News*, February 9, 1894.

¹⁴Ozark *Banner*, February 15, 1894.

¹⁵Troy *Jeffersonian*, February 16, 1894.

¹⁶Montgomery *Advertiser*, February 10, 1894.

¹⁷William Warren Rogers, *The One-Gallused Rebellion: Agrarianism in Alabama, 1865-1896* (Baton Rouge, 1970), 272.

¹⁸Montgomery *Advertiser*, February 9, 1894.

election of mine inspectors, and the prohibition of children from working in the mines.¹⁹ A number of these planks were new demands,²⁰ and, in all probability, Skaggs was responsible for at least the stands on education and the tariff.²¹

After the platform was adopted, Skaggs made a lengthy speech giving his reasons for leaving the Organized Democracy. Bemoaning the fact that the "finger of scorn" was pointed at the people of Alabama because of fraudulent practices, Skaggs questioned how new capital and immigration could be invited without a "protest against this fraud against the citizenship:"

They may call me a Republican, a Populist, or a Democrat, I care not. I stand here tonight to advocate those principles I learned in childhood. I have not just reformed, I have never been a party to election frauds in Alabama, and I have never connived at them. I lifted up my voice when I was threatened with a boycott, when my family was threatened with ostracism. I have always opposed ballot box stuffing.²²

Just as Skaggs finished his speech, William J. Stevens, the Negro leader of the Black and Tan faction of the Republican Party, entered the Winnie Davis Wigwam and attempted to address the assembly.²³ Skaggs recognized Stevens, and urged his eviction because "he was a grand rascal—having sold out his party on several different occasions."²⁴ Skaggs threatened to leave if Stevens were allowed to speak.²⁵ The delegates rushed to throw Stevens out, and had it not been for the presence of three policemen, he would have been "very roughly handled."²⁶ This treatment of a black leader was not as it appeared: for his day, Skaggs was very liberal regarding race relations.²⁷ Both Stevens' previous²⁸ and later²⁹ political activities bore out

¹⁹Linden Reporter, February 16, 1894.

²⁰Rogers, *The One-Gallused Rebellion*, 272.

²¹Eufaula Times and News, June 28, 1894.

²²Ozark Banner, February 15, 1894.

²³Montgomery Advertiser, February 9, 1894.

²⁴Union Springs Herald, February 14, 1894.

²⁵Grove Hill Clarke County Democrat, February 15, 1894.

²⁶Troy Jeffersonian, February 10, 1894.

²⁷Hackney, *From Populism to Progressivism*, 115.

²⁸Birmingham Age-Herald, August 1, 1892. In the campaign of 1892, Stevens was said to "be close to the black and he puts in some strong words for Jones."

²⁹Seale Russell Register, July 21, 1894. Stevens endorsed Oates.

Skaggs' contention that Stevens could not be trusted. After Stevens' ouster by Skaggs, the Democrats fawned over him and his Black and Tan Republicans. A Populist "poet" later ridiculed the Democrats' enchantment with Stevens:

O, did you see Billy Skaggs upon his toes,
Lift Billy Stevens through the Wigwam doe,
O, did you see Billy Oates in big alarm
Lift Billy Stevens under his arm.³⁰

Stevens' difficulties did not end with his ouster from the Kolbite convention. Later the same evening, he was arrested for being "drunk and obnoxious" at the Birmingham depot.³¹

At a closed meeting on the night of February 10, Skaggs was named chairman of the Central Campaign Committee. A.T. Goodwyn and A. P. Longshore were named chairmen of the Jeffersonian Democrats and the People's Party campaign committees respectively.³² Skaggs entered into the organization of the campaign reluctantly. Writing shortly after the convention, Skaggs declared that he consented to be chairman at "great personal sacrifice" because there was an absence of organization, and it was "positively necessary to inject some new life into the movement." His "personal identification" with the campaign, Skaggs wrote, would be contingent upon the "influence that my views may exercise on the Committee."³³

Skaggs did not undertake the campaign out of any great admiration of Reuben F. Kolb. Skaggs and other reform leaders regarded Kolb as a necessary evil. Early in the campaign, Skaggs, admitted that "while Captain Kolb unfortunately was the candidate, he was a mere incident to the issue, and the great fight, being based upon democratic principles, was the interest of the people."³⁴ Kolb's previous "indiscretions" prompted one reform editor to observe that Skaggs' participation in the campaign had given Kolb "his greatest claim to respectability in politics."³⁵ In the election of 1892, Kolb had been accused of

³⁰Birmingham *People's Weekly Tribune*, May 28, 1896.

³¹Montgomery *Advertiser*, February 10, 1894.

³²Butler *Choctaw Alliance*, May 16, 1894.

³³William H. Skaggs to Robert McKee, February 22, 1894, Robert McKee Papers.

³⁴William H. Skaggs to Robert McKee, March 19, 1894, Robert McKee Papers.

³⁵John W. DuBose to William H. Skaggs, quoted in Skaggs to Robert McKee, February 19, 1894, Robert McKee Papers.

misusing his railroad pass while Commissioner of Agriculture and being involved in a cotton weighing fraud.³⁶

The Democratic Press could not see any respectability in either Skaggs or Kolb. The invective delivered against Skaggs prior to the convention was minimal compared with the epithets hurled afterwards. The Gadsden *Times-News* in reporting the convention observed: "Skaggs' political wisdom seems to be in inverse ratio to his verbosity, for while he made the longest speech in the Convention, it was easily the most foolish."³⁷ Editor William D. Jelks speculated that if he were involved with the Jeffersonians, he would not want Skaggs, "for he slops over and spoils the whole thing."³⁸ The Montgomery *Advertiser* noted that while hardly a single Democratic paper did not contain announcements of former supporters leaving Kolb, Skaggs was the "only convert who had been at all flagrant in proclaiming his abandonment of the Democratic Party, and he always was more or less a tenderfoot and not exactly sure where he stood."³⁹

In April occurred an event which shifted the focus of the gubernatorial campaign and added to the Jeffersonians' image of not being quite respectable. On April 20, seven thousand Alabama coal miners went on strike in support of the United Mine Workers of America. The presence of convict labor in the mines hampered the strike. Violence flared: on May 7, a mine was dynamited and later in the month a murder occurred near Birmingham. On May 25, Governor Jones ordered 500 troops into the area.⁴⁰ The troops withdrew on June 30, but in July, the American Railroad Union strike reached Birmingham and again violence erupted. Jones sent 600 troops back to Birmingham and they remained from July 8 to July 16. Shortly after they departed, violence again broke out at the Pratt City mines and the troops were ordered back a third time.⁴¹

The planks of the reform platform calling for the removal of convicts from the mines, a new lien law in favor of laborers, and the creation of a department of weights and measures—one

³⁶Rogers, *The One-Gallused Rebellion*, 174.

³⁷Gadsden *Times-News*, February 15, 1894.

³⁸Eufaula *Times and News*, February 15, 1894.

³⁹Montgomery *Advertiser*, July 29, 1894.

⁴⁰Rogers, *The One-Gallused Rebellion*, 274.

⁴¹*Ibid.*, 275.

of whose functions would be to insure that miners paid by the ton were not cheated—undoubtedly found favor among the miners.⁴² Before the strike, representatives of 10,000 miners had endorsed the Kolb ticket.⁴³ Skaggs was active in organizing the “laboring people,”⁴⁴ and even invited J. R. Sovereign, Grandmaster Workman of the Knights of Labor, to assist him and campaign for Kolb.⁴⁵ In spite of repeated denials, when Skaggs condemned Jones for using troops in a “partisan way” to break up the strike,⁴⁶ he was accused of “stirring up anarchy.”⁴⁷ Predictably, the Democratic press praised Governor Jones for his incisive action and pessimistically speculated what would have happened had Kolb been governor.⁴⁸ The *Birmingham Age-Herald* pondered Skaggs’s actions:

In attainments and general mental ability, Skaggs is the most respectable of all the leaders of the polyglot party whose letter heads bear the misnomer of Jefferson. If *he* [their emphasis] throws *himself* athwart the efforts of the the state authorities to prevent arson and murder and a reign of dynamite and the torch, what can the people expect if they turn the government over to those that gallop just behind him.⁴⁹

Charges of anarchy on the part of the Jeffersonians were frequent in the Democratic press. The *Bessemer Weekly* warned that if Kolb were elected, “there will intervene no impediment to class legislation and lawlessness. There will exist a condition of chaos, brought about by unchecked anarchy and agrarianism that will destroy, desolate, and depopulate the best portion of our beloved state.”⁵⁰ The *Covington Times* charged that Skaggs and other leaders of the reform movement were in sympathy with the “lawlessness and disorder” of the strike.⁵¹ One editor warned that, “while it was not generally known,”

⁴²Hackney, *Populism to Progressivism*, 58.

⁴³Rogers, *The One-Gallused Rebellion*, 275.

⁴⁴*Birmingham Age-Herald*, May 27, 1894.

⁴⁵*Montgomery Advertiser*, August 3, 1894.

⁴⁶*Union Springs Herald*, June 27, 1894.

⁴⁷*Wetumpka Times Democrat*, quoted in *Birmingham Age-Herald*, June 24, 1894.

⁴⁸*Bessemer Weekly*, August 4, 1894.

⁴⁹*Birmingham Age-Herald*, June 23, 1894.

⁵⁰*Bessemer Weekly*, July 28, 1894.

⁵¹*Andalusia Covington Times*, July 6, 1894.

large groups of Kolb supporters were drilling with muskets and Winchester rifles.⁵² Skaggs denied that the strikers who were supporting the Jeffersonian ticket had counseled violence or lawlessness; but in fact, "had manifested an heroic fortitude under very trying circumstances."⁵³ Despite these strong denials and the absence of substantive proof linking the Jeffersonians with the violence, the issue of anarchy was to play a prominent role in the campaign.

The man to whom the Democrats turned to insure that "anarchy and chaos" did not run rampant was "the one-armed hero of the wiregrass," Colonel William Calvin Oates.⁵⁴ A more conservative candidate would have been difficult to find. While in Congress, Oates had voted against the Interstate Commerce Act, against the Hatch Act, against raising the Agriculture Bureau to cabinet level, and for the repeal of the Sherman Silver Purchase Pact.⁵⁵ No where was his conservatism more in evidence than when he voted against the Blair Education Bill.⁵⁶ Speaking against the Blair Bill in 1887, Oates maintained "it is not the duty nor is it to the interest of the State, to educate its entire population beyond the primaries. Universal experience teaches that if a boy, without regard to his color, be educated beyond this point, he declines to ever work another day in the sun."⁵⁷ Pressed to defend his position during the campaign, Oates explained that he opposed spending tax money to provide free "classical education" for everyone.⁵⁸ Perhaps there was some justification in a Populist editor's impassioned abridgement of the campaign: "The men who do the howling are generally men who have inherited enough property to keep them up, and they do not care a pin of what becomes of the poor. They class the Negroes and poor whites together and look upon them as hewers of wood and drawers of water, without sentiment or feeling. There is the reason to the opposition to Kolb and reform, they do not want this despised [sic] class to rise in intelligence or virtue—but remain hewers of wood."⁵⁹ Undoubtedly, Oates'

⁵²Brewton *Pine Belt News*, July 24, 1894.

⁵³Birmingham *Age-Herald*, June 26, 1894.

⁵⁴Talladega *Our Mountain Home*, July 18, 1894.

⁵⁵Hackney, *Populism to Progressivism*, 57.

⁵⁶Rogers, *The One-Gallused Rebellion*, 277.

⁵⁷Butler *Choctaw Alliance*, June 13, 1894.

⁵⁸Rogers, *The One-Gallused Rebellion*, 277.

⁵⁹Ashland *People's Party Advocate*, June 1, 1894.

opposition to measures designed to aid the "lower classes" aided his defeating the more liberal Joseph Johnston for the gubernatorial nomination.⁶⁰

Skaggs, who had intended to remain Chairman only as long as his views had some influence on the Committee, shortly became the chief spokesman for the movement.⁶¹ In an interview with a Washington newspaper, Skaggs gave a brief history of the events leading up to the campaign and a succinct summary of the vital issues. Tracing politics in Alabama from Reconstruction, Skaggs maintained that it was "but natural" that a political party so long in "undisputed control" should at last become corrupt, and that its leaders "should at last view with contempt the demands of the people whose masters they had been, under peculiar circumstances and for so long a time." Under the unusual situation growing out of the Reconstruction period, according to Skaggs, "it was possible, so long as 90% of the white population buried all differences on economic or other political questions in a common purpose to maintain white supremacy, to create a political machine with absolute power. The machine in Alabama is now exercising an arbitrary power unequalled by any experience known in the history of this country. It is, therefore, a fight for civil liberty, the right to choose their leaders, to vote and to have their votes counted, on the part of the people against the favored class, who notoriously deny these demands."⁶²

The biggest obstacle in their fight was the Sayre Election Law enacted in 1893. According to this complicated bill, voters were to register only in May in the precinct where they would vote; candidates were to be arranged alphabetically; a voter got only five minutes in an isolated voting booth; and most importantly, if the voter needed aid, he could only receive it from an election official.⁶³ A Congressional Committee Report later said of the bill: "If the election laws of Alabama had been designed to encourage fraud and thwart the people's will, they could not in some respects have been more happily framed to

⁶⁰Mobile Register, May 24, 1894.

⁶¹Calera Shelby Sentinel, June 28, 1894; Montgomery Advertiser, July 6, July 24, 1894; Brewton Pine Belt News, July 31, 1894.

⁶²Butler, Choctaw Alliance, May 9, 1894.

⁶³Rogers, The One-Gallused Rebellion, 239.

meet that purpose. The form of the ticket is such that an intelligent voter must have difficulty and the illiterate voter must be absolutely at the mercy of the ticket marker. He receives the ballot from the inspector, it has no distinguishing mark or emblem; he cannot have a sample ticket from which to learn the location of the names of the candidates of his choice; he cannot have his ticket marked in the open; he must retire to a booth where no eye but the marker's can see him; and in that seclusion, with no means of knowing whether his will is expressed by the mark placed on his ballot, a dishonest marker can make the honest voter the tool of his own nefarious purpose."⁸⁴

Skaggs and other Jeffersonians were certain the bill had been designed to encourage fraud. The *People's Party Advocate* reported that A. D. Sayre, the author of the Bill, had said that its purpose was to "suppress a certain vote, and not to secure an honest count of the legal vote as cast."⁸⁵ While Skaggs maintained that every man who could not read would be prevented from casting his vote for whom he chose due to election officials marking the ballots, the Democratic press praised the act because the "most unlearned man, black or white, is guaranteed the vote."⁸⁶ Maligning the Jeffersonians for endorsing the Australian Ballot, the *Wilcox Progress* claimed that had it been adopted, "its intricacies might have debarred illiterate voters, its only provision being that a blind man might have assistance. But in this law, every voter can call for assistance and can obtain it, and have his ticket prepared as he desires it should be. So instead of democrats trying to disfranchise voters, it is the Kolbites. The truth is that our people will not be bamboozled by Kolb or Skaggs."⁸⁷

Faced with "Organized" domination in finances and the press, Skaggs and the Jeffersonians were forced to turn out of the state. In a letter to the New York *Tribune* entitled "An Appeal from Alabama," Skaggs recounted the frauds that were taking place under the Sayre Law: "With practically an unlimited amount of funds, the Democrats have already been en-

⁸⁴House of Representatives Report, No. 284, 55th Cong., 2nd Sess., quoted in Malcolm C. McMillan, *Constitutional Development in Alabama* (Chapel Hill, 1955), 225.

⁸⁵*Ashland People's Party Advocate*, January 19, 1894.

⁸⁶*Andalusia Covington Times*, August 3, 1894.

⁸⁷*Camden Wilcox Progress*, July 18, 1894.

gaged in the purchasing of false registration certificates. The interest of every man who has money invested in Alabama, as well as the concern of every liberty loving American, should be directed in the support of our struggle for civil liberty." Skaggs lamented the fact that the Jeffersonians were poor and needed funds "to distribute literature, to verify the registration authorized by the election law and place on the lists only those actually registered and to use all such measures as circumstances may suggest to prevent fraud." Any remittance, Skaggs avowed, would be used only for legitimate expenses of a campaign for honest elections. Closing, Skaggs appealed to the North and West to come to the aid of the South which "was in danger of destruction."⁶⁸

Democratic response was particularly vitriolic. "Kolb and Skaggs are both far worse than Republicans; but then this is not surprising as it has ever been characteristic of traitors to be more bitter and vindictive, indeed worse in every particular, than genuine, open, and avowed enemies of long standing," decried one paper.⁶⁹ The editor of the Talladega *Our Mountain Home*, denounced Skaggs, claiming that the native son's appeal was "humiliating to every man who has a spark of State pride in him. The black Republican party, in all of its days of humiliation and mendicancy, never grovelled on the sidewalks at the feet of the alien, begging for alms in the sight of men."⁷⁰ The *Alabama Inquirer* found a new issue in the campaign. The Democratic Party was now not only the sole safeguard against anarchy, but also "the only bulwark between the greed, the grinding, the merciless oppression of the millionaire."⁷¹ The *Inquirer's* concern was unwarranted; Skaggs received few contributions from anyone.⁷²

In addition to appealing for northern funds to overcome the Sayre Law, Skaggs, as chairman, took other actions to prevent recurrent frauds. The Black Belt counties had given Jones such large majorities in 1892, that he was able to overcome

⁶⁸New York *Tribune*, quoted in Troy *Democrat*, June 30, 1894.

⁶⁹Calera *Shelby Sentinel*, June 28, 1894.

⁷⁰Talladega *Our Mountain Home*, July 4, 1894.

⁷¹Hartselle *Alabama Inquirer*, August 2, 1894

⁷²William H. Skaggs to O. D. Street, August 30, 1894, Street Papers, University of Alabama, Tuscaloosa, Alabama.

Kolb's majorities in the wiregrass and northern Alabama.⁷³ In an effort to rectify this seeming incongruity, Skaggs issued a circular urging Negroes not to register.⁷⁴ The purpose of the circular was two-fold: to eliminate the personal difficulties of the blacks and to reduce the number of votes cast making it theoretically difficult for the Democrats to steal too many ballots.⁷⁵

Democrats assumed an ambivalent posture regarding the circular. Senator John T. Morgan, in an Ashville campaign speech, chided Skaggs for "coming to the conclusion that there is no negro in Alabama who had any more sense than to obey his commands and would disqualify himself at his beck and call. If Kolb wants to reform anybody, let him begin with Skaggs who has disfranchised so many Negroes by ordering them not to register."⁷⁶ The *Linden Reporter* urged that "the Democrats should see that they [blacks] register in counties where they vote them. The Negro is in it and Democrats should see that they do themselves no harm."⁷⁷ Taking a more defensive position, the *Marion Star* editorialized that "if the Democrats in this section are guilty of the charges made by the Jeffersonians, they have been forced to such a course, first by the overwhelming preponderance of the colored voters, and later by the Jeffersonians themselves, in their efforts to wrench the government of our state from the hands of the able Democrats and place it in the hands of a few political shylarks, like Kolb and Skaggs."⁷⁸ Further justification was given by the *Birmingham Age-Herald*: "Skaggs throws away 80,000 Negro votes in one sweep, while the ballot box stuffer, if there is such a person in this land, can manage to creep out three to five ballots from a box in an entire day's voting, after very hard and immense peril to soul and body."⁷⁹

Convinced by such statements and the refusal of the Democratic chairmen to publish voting registration lists that the

⁷³Rogers, *The One-Gallused Rebellion*, 222.

⁷⁴Talladega *Our Mountain Home*, July 25, 1894.

⁷⁵Jack Abramowitz, "The Negro in the Populist Movement," *The Journal of Negro History*, XXX (July, 1953), 281.

⁷⁶*Troy Democrat*, July 21, 1894.

⁷⁷*Linden Reporter*, June 1, 1894.

⁷⁸*Marion Star*, July 12, 1894.

⁷⁹*Birmingham Age-Herald*, July 18, 1894.

Democrats were determined to repeat the frauds of 1892,⁸⁰ Skaggs attempted to coerce them into guaranteeing free elections. Admitting the procedure was somewhat unusual, but that circumstances demanded it, Skaggs called upon the Jeffersonians not to attend "public meetings" in behalf of Oates. Acknowledging that free discussion of the issues of the day was true democracy, Skaggs asserted "there is no room for discussion so long as one side claims and unhesitatingly exercises the arbitrary power of the brigand. We must first meet on the common ground of equal rights, particularly the one essential right of every American citizen, to vote for men and measures of his choice, and to have his vote counted as cast." If Oates would guarantee an "absolutely fair and honest election," Skaggs continued, "we will at once advise our people to attend their meetings and our candidates and speakers to meet their candidates and speakers."⁸¹

The Democrats were apparently not prepared to make any guarantees. As late as July 26, a Jeffersonian chairman lamented, "we have made every honorable effort to secure a list of registered voters in each beat; we have appealed for a list of the inspectors appointed for the various voting places; in all this we have been denied. Hence it is a logical conclusion that this secrecy and this exercise of unjust power in not granting to the people so simple and just request is indicative of a course lamentable to believe and intolerable in its execution."⁸²

The Democratic press saw the Jeffersonians in the grips of paranoia. "They claim they detect traces of a disposition on the part of the Democracy of the various counties of the state to fall short of their ideas of political righteousness," but continued editor John Williams, the real reason for this ploy of Skaggs was, "they realize that their cause is weakening and this pious saintly crowd who seem to have stolen 'the livery of heaven to serve the Devil in,' gently prefer this charge [fraud] than suspect that the Democrats are going to outvote them in several of the counties of the state where nearly the entire vote is Democratic."⁸³ The *Phoenix City Journal* saw Skaggs as the fraud, warned against any man who is "afraid of the light of

⁸⁰*Ibid.*, July 6, 1894.

⁸¹*Ibid.*, June 23, 1894.

⁸²*Linden Reform Democrat*, July 26, 1894.

⁸³*Talladega Our Mountain Home*, June 20, 1894.

day," and concluded that this "letter of the chairman of the Kolb faction is enough to damn his mongrel combination in the eyes of all conscientious inquirers of the truth."⁸⁴ Another paper warned, "it is a dangerous doctrine that will not bear discussion. All that Skaggs' sort lack of denying the freedom of speech is the power to do so. They would muzzle the press, boycott newspapers, bulldoze speakers, and do anything else that belongs to the methods of tyrants and anarchists."⁸⁵

It is highly doubtful that Skaggs desired to curtail debate; in addition to his other duties, he was the Jeffersonian's most effective and eloquent speaker.⁸⁷ Unfortunately, there are no extant texts of Skaggs' 1884 campaign oratory. One reason is that apparently Skaggs seldom spoke from prepared notes.⁸⁷ Regrettably, also, the Democratic press, while giving full coverage to Democratic speakers, found little space for Jeffersonian campaigners.⁸⁸ The fact that the press often either misquoted or omitted his speeches led the volatile Skaggs to challenge John Williams, editor of the Talladega *Our Mountain Home*, to a duel.⁸⁹

Skaggs' speeches were inevitably long, frequently lasting three or four hours.⁹⁰ In addition to being lengthy, his eloquence was vociferous and stentorian. Commenting on one of his speeches, one wag urged, "If Mr. Skaggs' oratory is really responsible for the present heat wave, he should be confined for the summer in a refrigerator."⁹¹ Warning that he had eighty-three lungs, the New York *Sun* described Skaggs on the stump: "On Friday, the torrential and tumultuous Skaggs, the labyrinth-lunged and horrisinous Skaggs began to make a speech for Kolb. Skaggs whirled and skirled, leaped to the welkin, plumped down to the center, emitted a deluge of Vesuvian speech, blew hotter than the siroc, burned, blasted, melted. The sacred streams of

⁸⁴Phoenix City Journal, quoted in Montgomery Advertiser, July 5, 1894.

⁸⁵Troy Daily Messenger, June 29, 1894.

⁸⁶Birmingham Age-Herald, November 6, 1894; Piedmont Inquirer, March 10, 1894; Livingston Our Southern Home, March 5, 1896; G. B. Crowe to O. D. Street, September 3, 1898, Street Papers.

⁸⁷Montgomery Alliance Herald, February 28, 1894.

⁸⁸Birmingham Age-Herald, July 31, 1894, for example.

⁸⁹Talladega Our Mountain Home, July 11, 1894.

⁹⁰Ozark Banner, July 5, 1894; Montgomery Advertiser, July 6, 1894.

⁹¹Birmingham Age-Herald, July 3, 1894.

Alabama grew hot, simmered, seethed, boiled into fury and flame. Blubber hisses at Connagga, Yattayabba was a geyser, the romantic waters of Kitchabodagga threw flame into Staggers and Cherockchehatchee—no more the haunt of Indian maidens—eggs boiled in Puss Cuss, and the Styx was on fire. Flames hid the awful Montgomery of Dirtsellers. Hens were fried or roasted on their perch according to their distance from Skaggs. Strong men crept into dugouts. Sheep became boiled mutton. Alabama was a sea of fire. Northward and ever northward swept the heat. Skaggs began to occur on Friday. Sunday and Monday his eruption had taken the conscience out of every collar in the north. We revere Skaggs, but we advise everybody to take a palm-leaf fan and a fire insurance policy when Skaggs gets hot in the collar.”⁹²

As the August election date approached, Skaggs exuded a cautious optimism. Writing O. D. Street, Skaggs’ “candid opinion” was that he expected Kolb to carry the state by 45-50,000, “irrespective of the false returns, which we are doing all we can to prevent, but know that some will unavoidably slip in.”⁹³ In a post-election telegram to H. E. Taubeneck, chairman of the National Populist Executive Committee, Skaggs reduced his estimate of Kolb’s majority, but still thought the Jeffersonians would carry every county in the northern part of the state except one, and “notwithstanding unprecedented frauds in the sixteen black belt counties, we will carry the state by at least 30,000.”⁹⁴

When the ballots were finally tallied, they showed Skaggs’s optimism unfounded and his anxieties realized. Of 194,167 votes cast, 49,183 fewer than in 1892,⁹⁵ Oates received 110,875 to Kolb’s 83,293. As Skaggs had feared, the voting pattern was a somewhat smaller version of that in 1892. Although Kolb carried thirty-four counties to Oates’ thirty-two, his largest majority in any county was only 1,290 votes. His margin in all of the counties he carried was 16,270. Of Oates’ thirty-two counties, seventeen were in the Black Belt. In the fifteen coun-

⁹²New York *Sun*, quoted in Talladega *Our Mountain Home*, July 4, 1894; Eufaula *Times and News*, June 28, 1894.

⁹³William H. Skaggs to O. D. Street, June 28, 1894, Street Papers.

⁹⁴Montgomery *Advertiser*, August 9, 1894.

⁹⁵Monroeville *Monroe Journal*, August 23, 1894.

ties Oates carried outside the Black Belt, his majority was only 6,223. Yet the seventeen Black Belt counties carried by Oates gave him a majority of 37,633. Discounting the Black Belt, Kolb would have defeated Oates by 8,383 votes.⁹⁶

As in 1892, the Jeffersonians were convinced they had been defrauded. The Troy *Jeffersonian* angrily decried that the "Sayre law has proven a better instrument of fraud than the old law."⁹⁷ Writing somewhat later, Skaggs offered the example of Wilcox County, where although there were "only 1,031 votes cast, yet a majority of over 6,000 was returned for the Democratic Ticket."⁹⁸ In Lowndes County, according to Skaggs, the supervisor of elections canvassed the vote to be 2,272 for Oates to Kolb's 361. Yet the official declaration of the vote to the House of Representatives gave the totals to be 4,995 for Oates and 361 for Kolb.⁹⁹ Throughout the Black Belt, the Democrats appointed illiterate blacks to represent the Jeffersonians as precinct inspectors. In Montgomery County, where Kolb, Warren S. Reese, and Frank Baltzell, among others, voted, the Democrats named John Washington, an illiterate Negro, who had also served in the same capacity in 1892, to represent the Jeffersonians. "The people have no right to complain at the appointment of a negro simply on account of his color," maintained the *People's Party Advocate*, but continued, "they do complain that an illiterate negro should be appointed as the only safeguard against the dishonest practices of organized ballot box stuffers."¹⁰⁰ But, as editor William D. Jelks had said in 1892, even if the charges of fraud were true, what could the Jeffersonians do about it?¹⁰¹

Talk of revolution was rife.¹⁰² Two days after the election, Kolb announced that he had been elected and called for a conference of party leaders on August 9 to plan strategy. The policy statement coming out of the conference was not very revolutionary. Signed by Skaggs, Goodwyn, and Pitts, the

⁹⁶Rogers, *The One-Gallused Rebellion*, 283.

⁹⁷Troy *Jeffersonian*, August 10, 1894.

⁹⁸Abramowitz, "The Negro in the Populist Movement," 282.

⁹⁹William H. Skaggs, *The Southern Oligarchy: An Appeal of the Silent Masses of Our Country Against the Despotism of the Few* (New York, 1924), 122.

¹⁰⁰Ashland *People's Party Advocate*, October 14, 1894.

¹⁰¹Hackney, *Populism to Progressivism*, 48.

¹⁰²Rogers, *The One-Gallused Rebellion*, 285.

paper declared that "with less pretext and absolutely without the least semblance of justification," the election returns exceeded the frauds of 1892. The committee called for meetings throughout the state on August 23 "to act upon this great crisis, and to insist that the manhood, patriotism and love of liberty which has always invoked prompt and decisive action from them shall find expression in their course that will be creditable to their revolutionary sires and furnish a precedent in our history to which all will ever revert with pride and satisfaction."¹⁰³ Only forty-six of the sixty-six counties held the meeting called for, and these were "very slimly attended."¹⁰⁴

Despite the fact that he had paid out over \$400 and had served without compensation for five months, Skaggs agreed to stay on as Chairman of the Central Campaign Committee until full reports could be obtained as to election frauds.¹⁰⁵ At a November meeting, which had been arranged by Goodwyn and Pitts in case the August meetings had failed, Skaggs reported that the committee had "ample proof that their allegations that Kolb had been counted out due to fraud is true. The will of the people . . . has been set aside through the agency of election managers and county officials, aided and abetted by corrupt judiciary, which is a disgrace to our civilization, and protected by a de facto executive, who has trampled under foot the law and destroyed in the Alabama the form of republican institutions." In spite of the rectitude of their position, Skaggs counseled moderation — "drowning out incendiary speakers who called for their being seated even if by force."¹⁰⁶

Perhaps because of his moderation, Skaggs was "conspicuous by his absence" at Kolb's comic tragedy of an inauguration on December 1.¹⁰⁷ Reporting the "eccentric" Captain's inauguration, the *New York Sun* observed: "Captain Reuben Furioso Kolb continues to bruise the wind with indignant speech. He speaks of 'hurling from power by force, if necessary,' the base wretches that refuse to let him be Governor of Alabama; but he has hurled and hustled too much. Alabama wants repose,

¹⁰³Birmingham *Age-Herald*, August 10, 1894.

¹⁰⁴Evergreen *Star*, August 30, 1894.

¹⁰⁵William H. Skaggs to O. D. Street, August 28, 1894, Street Papers.

¹⁰⁶Birmingham *Age-Herald*, November 13, 1894.

¹⁰⁷Eufaula *Times and News*, December 6, 1894.

and the sky-watting and earth-butting words of Captain Rube cannot arouse her or bring a quiver to her weary eyes. Where is Skaggs, the Atlantean-jawed pusher of thunder; Skaggs, the dauntless and the deafening, whose fierce grasp burns the lightning and leaves scars on the elemental fire? Skaggs might do somewhat, pluck off the bandages of peace and unleash the unlicensed dogs of war. Kolb is too anemic for the crisis.”¹⁰⁸

¹⁰⁸New York *Sun* quoted in *Ibid.*, December 13, 1894.

Surveying The Gaines Trace, 1807-1808

by
James H. Stone

In late 1807, Captain Edmund Pendleton Gaines undertook what was, for a young army officer, an extremely important mission — to save from extinction the American settlements on the Tombigbee River in what is now south Alabama. At that time, Spanish taxes imposed at Mobile were virtually strangling such centers as Fort Stoddert and St. Stephens. Aside from government officials and army troops, the population of the raw south Alabama frontier region consisted of a very few hardy pioneers. These Americans, who began to populate the lower Tombigbee area as early as 1791, earned precarious livelihoods by raising indigo in the rich creek bottoms, by herding cattle on the prairies, or by trading trinkets, blankets, arms, and ammunition with the Indians for honey, beeswax, bear oil, groundnuts, tobacco, skins, and pelts.

When the American traders, operating out of the government trading post at St. Stephens, began to cut deeply into the Spanish-Indian trade in the first years of the nineteenth century, the Spanish at Mobile objected strenuously. Because they controlled Florida, which extended at that time all the way to the Mississippi River, the Spanish possessed the strategic advantage in the struggle for the Indian trade. Florida officials began to delay American vessels at Mobile and to harrass American officials who were connected with the trading post at St. Stephens. More ominously, they placed heavy duties on American goods passing through Mobile. An American settler could buy, for example, a barrel of Kentucky flour for four dollars at Natchez, but by the time it reached St. Stephens, due largely to prohibitive Spanish taxes, a barrel of the same flour cost sixteen dollars.

From the American point of view, the situation on the lower Tombigbee was intolerable, but for several reasons a direct military confrontation with the Spanish was out of the question. In 1806 George Strother Gaines, the Factor at St. Stephens, and his older brother Edmund Pendleton Gaines, the Commandant at Fort Stoddert, began to devise methods of circumventing Spanish control of transportation facilities. The Gaines brothers were apparently aware of an old French scheme to connect the Tennessee and Tombigbee Rivers by canal, thus providing a direct water link between the Tennessee and the lower Tombigbee area.



Medal struck by order of Congress, honoring Edmund Pendleton Gaines, following the Battle of Lake Erie.

Realizing that a canal was impractical at that time, they reasoned that a wagon road connecting the two rivers, though less convenient than an all-water route, would serve their purposes almost as well.

The War Department agreed that such a road was a practical solution. The government hoped to be able to ship goods by way of the Ohio and Tennessee Rivers to Muscle Shoals, over the proposed wagon road to Cotton Gin Port,¹ and down the Tombigbee to the settlements, thus avoiding Spanish taxes. Accordingly, in the summer of 1807 General Henry Dearborn, the Secretary of War, ordered E.P. Gaines to survey a route from the Tennessee to the Tombigbee. Gaines was well equipped for the job. Having been one of the surveyors of the Natchez Trace, he was experienced in such matters, and some considered him the best surveyor in the army. Also, his experiences at Fort Stoddert had convinced him that the Tombigbee settlements could not survive without a new supply route.

Following Dearborn's orders, Gaines conducted a survey between the Muscle Shoals on the Tennessee and Cotton Gin Port on the Tombigbee during December 1807 and January 1808. Gaines and his small party traveled the well-known Chickasaw trail connecting the two points. After reaching the Tombigbee River, they encountered some Chickasaws who expressed pleasure at the prospect of having the government improve their trail between the two rivers. Gaines' official report to the War Department recommended that the old trail be expanded into a wagon road and concluded that the Tennessee-Tombigbee route was the most feasible route for supplies for the south Alabama settlements.

In October 1810, William Eustis, the Secretary of War, appointed George S. Gaines to negotiate a treaty with the Chickasaws for the right to build the road. Gaines was only partially successful. The Chickasaws were much less enthusiastic about the road than they had been in 1808, and they refused to allow Gaines to build a wagon road over their trail. However, they did sign a treaty allowing the Americans to use it as a horse path. George S. Gaines opened the route in late 1810, and it became known as the Gaines Trace because of his efforts. The trace

¹Located in what became Monroe County, Mississippi, Cotton Gin Port developed into a thriving trading town and river port in the first half of the nineteenth century. Its success was due to its fortunate location at the southern terminus of the Gaines Trace where it met the Tombigbee River at the head of navigation. Cotton Gin Port became a ghost town in 1887, the victim of rail construction in the area.

connecting the two rivers provided considerable savings on freight, perhaps saving the settlements from extinction. It also helped insure that the Americans would eventually vanquish the Spanish in the struggle for political and commercial control of the area.²

E.P. Gaines was a meticulous man who maintained extensive records of his activities. Fortunately for students of Alabama history, the diary Gaines kept on his survey through northwest Alabama during the cold wet winter of 1807-1808 has been preserved. The Right Reverend Dr. Charles Todd Quintard presented it to the Tennessee Historical Society in 1867.³ Gaines entitled it "Notes of a Survey from the head of Muscle Shoals, Tennessee River, to the Gin-Port, on the Tombigbee, East of the Chickasaw Nation; and down the last mentioned River to the mouth of Oaknoxaby Creek. By Edmund Pendleton Gaines, Captain 2.^d U.S. Infantry, and by order of the Honorable Henry Dearborn, Secretary of the War Department of the United States. Completed in January 1808." In this document Gaines recorded what is probably the most detailed description of the northwest Alabama frontier in the period before permanent white settlement.⁴

Having completed a Survey of the Muscle Shoals, and the route, by land, from the lower end to the head thereof, commence a survey from thence to the Navigable Waters of the Tombigby River, route 26:th 1807.

Begin at the house of M^r. Melton, on a bluff, left [or south]

²The above sketch is based on James H. Stone, *Cotton Gin Port, Mississippi: The History of a Tombigbee River Town* (University, Miss., 1969), *passim*. James W. Silver, *Edmund Pendleton Gaines: Frontier General* ([Baton Rouge], 1949) is an excellent biography. Unfortunately, there is no biography of George Strother Gaines, but helpful material may be found in several sources. Among the better are George S. Gaines, "Reminiscences of Early Times in the Mississippi Territory," *Mobile Daily Register*, June 19, 27, July 3, 10, 17, 1872, and George J. Leftwich, "Colonel George Strother Gaines and Other Pioneers in [the] Mississippi Territory," *Publications of the Mississippi Historical Society, Centenary Series*, I (1916), 463-76.

³I wish to thank the Tennessee Historical Society for allowing me to make use of the E. P. Gaines material in its collection. My especial thanks go to Mary W. Frazer, Senior Archivist, Manuscript Unit, Tennessee State Library and Archives, for her kind assistance.

⁴Though Gaines' usage is sometimes incorrect, in no case has his spelling, punctuation, capitalization, etc. been modified. Any additions by the editor are in brackets. All deletions are indicated in the standard manner.

bank of the Tennessee River, near the head of the Muscle Shoals.

Width of the Tennessee at this place 280 chs.⁵ or 1 m. 120 chs.

Mark the route with two chops & a blaze on all trees near the line, front and rear; — and a chop on small growth, so as to make it bend to the ground, & leave it alive.

[We travel] S[outh] 45° W[est for] 50 chains thro' M^r Melton's lane — Upland of the first quality.

S. 50° W. 110 [chains.] At 100 chains cross a path — Oak & Hickory timber . . .

S. 45° W. 9 miles & 145 chains . . . At 110 chs cross a path leading N. & S. — At this place is a skirt of thin land, lightly timbered with Hickory and Oak: — grassy. 2^d Mile . . . Strong upland, nearly level; small scrubby hickory timber, with grapevines and long grass. 3^d Mile . . . Rich upland, nearly level. Hickory growth. 4th Mile . . . At 64 chs. cross a small path leading N. & S. — At 68 chs. cross Big-Spring-Creek, 2 1/2 chs. wide — runs N.N.W. — About 70 chs. south of this place is the big Spring, which is about 100 yards wide, & 300 y^ds long. Encamp near the big Spring.

December 27:th 1807 — Our pack-horses missing until 2 P.M. when we proceed, same course, on rich upland, open and nearly level; with small Hickory & Black-oak timber.

5:th Mile . . . Land & timber as last noted. No under-wood to this place.


6:th Mile . . . At 28 chs. cross a path N.W. & S.E. Land nearly level, with Post-oak and Hickory timber. — No underwood. — Small patches of strong land.

At 47 to 100 chains, best 2:ⁿd rate upland. Large Black-oak & Hickory timber. — Nearly level.

At 104 chs. timber mixt with Post-oak. Small ledges of rocks near the line. — Land nearly level.

At 111 chs. cross a path, nearly at right angles.

At 116 [chains] Path. Killer's Creek, 3 chains wide from tops of banks, — 2 1/2 chs. at low water, 6 to 8 feet deep; gentle, silent current. Banks 12 feet high; firm and well adapted to bridging. We go down the creek, which continues too deep to ford, for about a mile, where it makes a considerable turn to the right — thus

 at which we find a convenient Crossing-place. The banks, on both sides, to this place continue high and firm, as at

⁵A chain is normally considered to be sixty-six feet. Gaines, however, used a chain thirty-three feet in length, making 160 chains to the mile.

the place where the line strikes the creek, to which place we return and encamp.

December 28:th 1807

Depart at 7 °Clock A.M. same course.

7:th Mile Beautiful land, nearly level: — Oak & Hickory timber.

8:th Mile At 119 chs. cross the path which leads from the Shoal-Town, eastwardly, to the Goard's Settlement, about 3 miles distance.

9:th Mile, Land and Growth as last noted.

10:th Mile At 68 chs. growth mixed with Pine.

At 70 [chains] cross a branch running to the left.

At 145 [chains] change course.⁶

.... 11:th Mile Rocks Strong upland.

.... 12:th Mile Down a Branch. Land nearly level, and of good quality. Oak and Hickory timber

.... 13:th Mile Thin Cane-brake, near a branch, to the left. Encamp. Rain during the afternoon. On reconoitreing the route and adjacent grounds back to the 10th Mile, I find the ridge between the 11:th & 12:th Miles may be surrounded without much inconvenience, by bearing about a mile to the N.W. but is deemed unnecessary to deviate from the present line so much, as the distance around the point of the ridge would be too great to justify such an alteration; especially where no serious obstacles to a good road, are found crossing it.

December 29:th Rain.

.... Beautiful, level, firm land; tall Oak & Hickory, with some Ash and Poplar growth

14th Mile cross Lick-fork of Town-Creek, 5 1/2 y.^{ds} wide A high hill to the left a Cliff to the left. a fine Spring. Rich firm Land. Timber as last noted. A small Creek, a few chains to the right, runs N.

.... 15th Mile cross a small creek, runing to the right A rocky hill to the left. Rich, firm ground, nearly level. Narrow Cane-brake to the right Small creek a few chains to the right cross a small creek, 5 y.^{ds} wide, runing to the right a rocky knobb to the right a ledge of Rocks.

.... 16th Mile cross a small branch, runing to left. Good upland: Oak and Hickory timber a low ridge cross a

⁶At this point, the course changes become too numerous to be conveniently included here. Those interested in tracing Gaines' exact route from the Tennessee to the Tombigbee should consult the table following this document.

branch runing to the left.... cross Coosa path, leading from the lower end of the Muscle-Shoals to Coosa-Town, Creek Nation, bearing about S. 26° E. 70 miles distance.

17th Mile Waving ridges — Strong upland — Oak timber.... descend a short hill, which has a rocky base. Firm land of good quality....

18th Mile cross a branch runing west. Strong upland; — low ridges. — Oak and Hickory timber.... top of a ridge, 14 chs. across, & 6° ascent & descent.... Through rich Cane-brake-low-grounds, to the right bank of Town-Creek.

Encamp early in the Afternoon, in order to examine the Creek and adjacent ground, so as to ascertain the most suitable crossing place. I find the low grounds from 30 to 50 chs. wide; generally dry and rich; with considerable skirts of cane-brake.

The timber consists, principally, of Oak, Poplar, Beech & Hickory. The banks of the Creek, at this place, are high and firm; and appear never to have been overflowed. Find an excellent ford a short distance above our Encampment.

December 30:th 1807. Clear & Cold

....19:th Mile cross the creek, 3 chs. wide; 2 1/2 feet deep; strong current; stony bottom; and high, firm banks. We experienced considerable inconvenience, from the Cold, in wading this creek. We found no tree near the Ford that would reach across; and our Horses being all packed, left us no other means of geting over.... a gentle ascent out of Cane-brake.... Open woods. — Ascent continued.... Along a low ridge. Strong upland.... cross a branch runing left.... A steep bank and creek, 12 to 15 chs. to the left....

....20:th Mile Second rate land — low ridges, nearly level. Small oak and Hickory timber. No under-wood.... cross a small creek runing to left.... cross a Branch runing to the left.... Strong upland; nearly level, and firm....

....21:st Mile Ditto land & growth.... touch the bank of the creek to our left, near an Indian Camp, on the side of a low ridge....

....22:nd Mile Halt about noon, in order to reconoitre the country a-head. — Find an excellent and large body of land, with timber and water of the best quality. The richness of the soil, and the levelness of the land, in places on our course, form the only obstacles to a good road. These, however, can do no injury except in very wet weather.

December 31:st 1807 — Clear & cold.

Depart at 7 °Clock, A.M.

.... cross a branch runing to the left. Moist land — Tall Red-oaks, and large Hickory & Ash timber. Green briers, and thin cane.... cross a Branch runing to the left.

23^d Mile.... Land nearly level. — Growth as before noted.

24:th Mile.... cross a creek 8 yards wide, runing S.E..... beautiful, dry, firm, rich land, nearly level ... Cedars and scattering pines; with Oak and Hickory timber.

.... 25:th Mile.... cross a branch runing to the left. — Land thin and nearly level. — Post-oak & Pine timber.

.... 26:th Mile.... cross a small branch, right, through beautiful, open woods: — Low ridges, nearly level: — Firm ground; strong land. Hickory & Oak timber.

27:th Mile.... a small Prairie.... flat rocks, nearly even with the common surface.... cross a rocky-bottom Creek, two poles⁷ wide, runing to the right; affording a narrow skirt of Cane-brake both sides, and excellent upland.... up a rocky ridge, 4° ascent: rock even with the surface, nearly; and in many places unsound and crumbling — near a small path.

... 28:th Mile.... along the top of a ridge.... large rocks project above the surface. Growth as last noted; intermixt with Cedar. Ascent 4°.... top of Cedar-hill. — Descent 3°.... to good land.... old Chickasaw path, which leads from Flint-Creek, about 20 miles above M^r Meltons, to the Chickasaw Nation.... Ascend the ridge which divides the waters of Bear-Creek, from those which empty into [the] Tennessee, above the mouth of said creek. Ascent 6° — Find, at several places on the ridge, considerable quantities of Iron-ore, in small lumps, on top of the ground.... First rate upland: — Large Hickory and Black-oak timber: — No underwood: — Long grass: — Dark-brown Soil, of a reddish cast a few inches below the surface; loose, rich and deep.

29th Mile.... a low ridge, on which is a considerable quantity of Iron-ore, in very small lumps, mixt with a rich, darkish-red Soil. Timber as last noted.

30:th Mile.... a Branch. First rate upland continued.... a fine Spring, left. Land and growth as last noted.

.... 31:st Mile.... Cane-brake and Cedars.

.... 32^d Mile.... Encamp early in the Afternoon, and explore the intended route for tomorrow's survey. — Find the land well adapted to the purposes of a road, and cultivation, for a few miles

⁷A pole is 16½ feet.

ahead; where it becomes rather broken. From the head of the Muscle-Shoals to this place, is one continued body of good land. The Soil, which in many places is mixed with gravel, is deep, and of a dark red color: in general, thinly timbered with Hickory and Black-oak; with little or no under-wood, except on the margins of some of the creeks and Rivulets; and there only in small skirts. About $7/8^{\text{th}}$ of this distance, I find to be upland of the best quality, intersected by beautiful, gravelly-bottom Creeks and Rivulets of excellent water; none of which appear to form any serious obstacle to the intended road.

January 1st 1808. Clear, frosty & cold.

.... cross a gravelly-bottom Creek, 8 yards wide, runing to the right cross a fine rivulet runing to the right. Thin Cane-brake; excellent upland cross a branch runing to the right. Strong up-land. Hickory, Ash, Poplar, Black-walnut, and Black-oak timber.

33^d Mile rocky Some of these rocks rise 3 to four feet above the surface Cane cross a beautiful, clear, rocky-bottom Creek, 15 yards wide.

34:th Mile Rocky and uneven surface foot of a hill; steepest part of which is 11° elevation: — very rocky top of the hill; from which we find a gentle descent foot of a rocky hill, at which begins a large Cedar-Grove. Rich land, nearly level.

.... 35:th Mile Creek runing N.W. 16 y.^ds wide. Cane on both sides of the creek; and excellent upland cross a large Branch, runing to the left.

36:th Mile Cedar-Grove Hill Elevation 12 1/2 degrees.

37th Mile Hilly & Stony land. ... a ridge. ... cross a Creek, 5 yards wide.

38th Mile Up a gravelly Hill, and into a Hollow near a small Branch. Oak timber, principally Land hilly: — Timber mixt with Pine

.... 39th Mile Low ridges; 2^d rate upland; Oak, Hickory & Pine timber.

40:th Mile a Spring ... a Hill ... a Cliff to the left.

... 41st Mile see a Creek, in a deep Hollow, to the left ... Down a sharp point of a ridge, near a Cliff, to the left.

42^d Mile ... Encamp; and explore the adjacent ground. Find the country, for several miles in every direction, very hilly, interspersed with valleys of rich land; with excellent timber and water. The Hills, too, afford rich soil, & large Oak & Hickory timber.

January 2^d 1808

.... Down a ridge cross a creek, 14 yards wide, runing N.N.W. ... Hilly, but strong land.... Along a gravelly ridge.... Cross a hollow and small branch.

.... 43^d Mile Spanish-oak On a ridge Cross a Hollow and up a Drain.

44.th Mile Along a ridge cross a rivulet runing to the left.

45th Mile, near a branch, left, marked a Walnut Narrow Cane-brake-bottom Rich Cane-brake Land, nearly level, to right Bank of Bear-Creek. A Cliff on the opposite bank prevents our crossing at this place; we therefore turn up to a ford.

.... 46th Mile, mark a Dogwood near the bank of the creek.

At this place is a beautiful ford, near a small Island, R[ight].

.... Cross Bear-Creek, or *Just-like-a-River*; as the Cherokees term it, 34 yards wide; strong current; and, at this place, Knee-deep, and gravelly and strong Bottom.

From the Creek we ascend a Hollow, formed by two steep Hills; in which is a small Spring-branch Up the Hollow to a low ridge Along the Ridge. Hilly on both sides Pine, Oak and Hickory timber. Good up-land.

.... 47th Mile Land nearly level, along a ridge from thence it is somewhat hilly to the

48th Mile At 46 chs. cross Laurel-Branch (of Bear Creek) a beautiful rivulet runing to the right. We cross a few yards above a Cliff, which extends across the valley and branch, about 60 feet over the top, and 30 feet from top to bottom; shelving over, and forming a large semicircular concave, which would afford shelter to an hundred men. The bed of the Rivulet, for a few perches⁸ above the rock, is horizontal, and 6 feet wide; from which the ascent on either side does not exceed 6 degrees.

About the middle of the rock, at its summit, is a small gap, from which the whole of the stream has a clear fall of 30 feet perpendicular. From this cataract, Laurel-Branch meanders, north-westerly, through a deep valley bordered by perpendicular cliffs
....

Encamp and examine the Country ahead, and to the S.W. & West. In the last direction we find several Creeks and Rivulets, bordered by Laurel Cliffs, in many places impassable. Low ridges S. & S.E.

⁸A perch is 16½ feet.

January 3^d 1808. Clear & pleasant.

....cross a rocky Spring-branch, runing to the right. Pine, Oak & Hickory timber....a small Branch runing to the right.

49:th Mile.... A Hollow makes down South....Along a ridge:— Dry, firm Land....Along the ridge. Steep, broken ground both sides.

....50:th Mile....cross a small creek runing to the right.... Firm Land....Pine & Oak timber. Brushy.

51st Mile....Pine and Post-oak woods. Low ridges.

....52^d Mile....Low ridges, nearly level. Firm land....Down a rocky Hollow. Cliff to the left & right....cross a small creek, runing to the right, 5 yards wide, up a rocky Hollow.

This place will require considerable labor, digging and removing stones, to render it a Suitable way for carriages; and we cannot avoid crossing here, without going too great distance around, as there are perpendicular cliffs on both sides, for a considerable distance, above and below.

Dividing-Ridge. Leave Tennessee waters.

....53^d Mile.... Waving, low ridges, well adapted to a road. Pine, scrubby Oak and Chesnut, with fallen timber and brush.

....On a Ridge, 54th Mile, marked a Pine....cross first branch of Tombigby River, runing to the left. Thin land; Pine woods; grassy and brushy.... Brush & Briers almost prevent our movement.

55:th Mile....Down a handsome Hollow, near a small branch, which lies to our left....cross [the] Branch.

....56 Miles, Marked a Gum Sapling....cross the branch, which, at this place, is 3 yards wide, runing to the left....a low ridge....cross a small branch runing to the left.

....57:th Mile, marked a Dogwood....

....58:th Mile....Low ridges. Pine and Oak timber....cross a branch runing to the right. Halt and encamp at first Reed-brake.

January 4:th 1808, a very cold night, and morning frosty. Our provisions nearly exhausted.

....cross a small reed-brake. Pine woods. Low Ridges.

59th Mile....Low ridges. Pine, Oak, and Hickory timber.

60th Mile....cross a branch runing to the right....cross a Reed-branch runing to the right. 2^d rate upland. Pine, Black-oak, & some Hickory timber.

61:st Mile, marked a pine....

62:^d Mile....Land nearly level, & firm....Reedy branch to our left.

63^d Mile cross a rivulet, runing to the right, near a very small Path, leading towards the Chickasaw Nation — west.... Strong land. Pine, Oak & Hickory timber.

64th Mile, low ridge; good upland; firm and well timbered.

....65th Mile, [marked] a Red-oak level Land, of an excellent quality; with Poplar, Oak, Hickory, and some Pine timber. No under-growth of Wood.

66th Mile cross a creek, 5 yards wide, runing to the left Low grounds, rich and well timbered, near a Creek ... cross a creek, 16 yards wide, runing to the left. This creek is supposed to be a fork of Tuckaloosa, or Black-Warrior, which, by the Chickasaw Hunters, is called Sipsey. It runs, for several miles, in a S.E. direction.

Encamp near the right bank of the Creek.

January 5th 1808. Rained the greater part of the night.

....Hilly to the right.

....67th Mile cross a Branch runing to the left. Ridges of gentle Ascent and Descent. Pine and Oak Timber. Firm land.

68th Mile Low Ridges. Growth as last noted. Firm land.

....69th Mile cross a Branch runing to the left....

70th Mile cross a branch runing to the left.

71st Mile Low Ridges. Firm land, of a good quality. Oak & Pine timber. No under-wood cross a plain path, leading W.N.W. & E.S.E. from the upper part of the Chickasaw Nation to the upper Creeks....

....72^d Mile, Marked a Beech near a small Branch.

....Encamp. Rainy.

Explore the adjacent Country for several miles, from S.W. to W. — Find low ridges; firm land of 2^d rate; Oak and Pine timber, principally; with little under-wood, except near the branches or small creeks, of which we find but few, being on the dividing ridges betwixt the main forks of Tombigby, & the waters of the Black-Warrior.

January 6th 1808. Cloudy.

.... a branch runing to the left a Branch runing to the right.

....73^d Mile cross a Branch runing to the right.... cross a small branch runing to the right Through the gap of a ridge — a good way for a road cross a narrow Reed-brake, leading to right.... low grounds; Dry and firm.

At 74th Mile cross a large Branch runing to the left.... cross a rivulet runing to the left. Oak, Ash, Beech & Poplar; and

near the Creek, Cyprus timber, with some under-wood. Low grounds 35 chs. wide....Across a Piney Ridge.

75th Mile Pine, Oak & Hickory timber. Rather hilly, but rich upland.

.... 76th Mile cross a Branch runing to the left a Ridge

77th Mile cross a small branch runing to the right cross another small branch, runing right a Ridge nearly level land. — On top of the ridge, strong 2^d rate land. Oak, & Hickory, with some Pine and Chestnut. Small sasafras, Hickory & vines. Dark-red Soil, and deep.

78th Mile cross a Reed-branch runing to the right cross a Rivulet runing to the right.

79th Mile Flat, moist land, Post-oak, Hickory, with Oak under-wood Through strong firm land, nearly level cross a rivulet runing to the right; firm banks and gravelly Bottom cross a Branch runing right.

80.th Mile, marked a Sour-wood⁹ Sapling cross a small branch runing right. Firm land, nearly level. — Black-oak, Pine, and some Hickory timber.

81.^t Mile Land and growth as last noted.

82.^d Mile Rain during the Afternoon, without intermission. We encamp at dark.

January 7th 1808

A violent Thunder Storm in the Night. A heavy Rain till 10. °Clock A.M. Reconoitre the country for a few miles to S.W. Find the land an growth as last noted.

....Along the Path. Moist land, nearly level.

.... 83^d Mile cross a small creek runing to the right Land nearly level; — rich and firm Oak, Hickory, Poplar, & some pine timber To a plain path near an Indian Camp cross a branch runing to the right.

84th Mile.

.... cross a large branch runing to the right. Explore the neighboring Country for the remaining part of the day. Find the low grounds of Lunecisto, the principal fork of Tombigby, near our right; but no convenient bluff, or high ground, near the river that would admit a good landing or crossing place. Encamp.

January 8th 1808.

Follow an old path to the River Lunecisto, a few miles in front

⁹Sourwood is a commonly used name for the sorrel tree.

of our Survey, at a Ford, at which we cross, and set about building a Perogue.

The river, at this ford, is three and an half foot deep, gravelly bottom, and gentle current, at the rate of 2 3/4 miles an hour. The cane-brake prevents an examination of the river, far up, without more time and labor than I can at the present command, being nearly out of provisions. For a Mile, however, I find it from 45 to 55 yards wide, and from 3 to 12 feet deep; but the passage is considerably obstructed by fallen and drifted timber; which, in many places, extends nearly across the stream; but which may easily be removed by cutting loose the largest and longest trees, when the River is low, and at the next rise of the water they would be drifted down. I explored this river, in 1802, from a few miles above this place to the mouth of Twenty-Mile-Creek, about 25 miles N.N.W. from hence.

The mouth of 20 Mile-Creek is about 45 Miles from Colbert's ferry, [on the] Tennessee, and about 23 miles from the highest point of navigation on Bear Creek; and is deemed the highest navigable branch of Tombigby; and is the head, or highest part, of what the Indians call Lunecisto, or Alli Swamp. It is about 28 yards wide, where it receives 20 Mile Creek, and increases in width to the mouth, where it is 50 @ 55 yards, and is generally as above described. It receives two large creeks, and several small ones, below the mouth of 20 mile.

The low grounds of Lunecisto are from 1 @ 3 miles wide, 3/4ths of which overflow annually; but as there is little or no current, the Soil receives no injury, but is, in many places, benefited by these inundations: and, I am persuaded, if the river was cleared of fallen timber, it would not only afford safe and easy navigation for boats, but would, by giving a free passage to the water, obviate, in great degree, the injury which the Spring freshes would, doubtless, do the cultivation of these lands; and afford, for the culture of Corn & rice, thousands of acres of rich land, that would now be deemed useless, but for the excellent timber with which it abounds.

January 9th 1808. Clear.

Reconoitre the adjacent Country. The men engaged in making a Perogue, which they complete in the evening.

January 10th 1808. Rainy morning.

Descend the river, on board our perogue, to the Cotton-Gin-Port, where we encamp. Rained during the day.

January 11.th 1808, at Cotton-Gin Port.

On reconoitring this place and its vicinity, I find rich land, and open woods, on both sides of the river; which renders this a most eligible crossing-place for a road, as well as a very suitable place for a commercial seat; and until the Lunecisto is cleared out, this may be considered the highest point of navigation of the waters of the Tombigby River.

The river, at this place, is 62 yards wide, and at low water 8 feet deep; gentle current, runing at the rate of 2 miles an hour; and entirely free of obstruction. The road from Natchez to the State of Tennessee, might be much improved by passing from the head waters of Big-Black, at the Pigeon-Roost,¹⁰ north-eastwardly direct to this place; and thence along my new survey to the Muscle-Shoals; and thence through the Cherokee Nation to S.^o-west-point, Tennessee; as by this means the distance from Natchez to S.^o-west-point would be shortened nearly an hundred miles; and a much drier and better road he made, than the one now in use; for betwixt this place and [the] Tennessee River, there is not a Water-Course but may, at all times, be crossed without danger or great Difficulty; even in times of the highest freshes, by the help of Foot-logs; and none of them bordered by Swamps that will require [a] Causeway, except a Branch of Sipsey, which may, for 60 or 70 Perch, require it. In dry weather, or when the rains are not immoderate, these creeks will not, any of them, take a Horse above the knee.

In 1802, I reconoitred a considerable part of the Country betwixt the Gin-port, and the head Waters of Big-Black, and am of [the] opinion that it will admit of an excellent road.

January 12.th 1808, at Gin Port.

Explore the left side of the River in the neighborhood of the Gin-Port. Find the land nearly level, with Oak, Pine & Hickory timber, and but little Under-growth, except on the margin of the River, where we find Cane and Vines.

Obtain from the [Chickasaw] Indians, a few miles up Town-Creek, a small supply of Provisions; for which we are compelled to give our Blankets, as they refuse money.

Several Chickasaw Indians visit our Camp, and appear much pleased to find that a road, from [the] Tennessee, is likely to be

¹⁰The Pigeon Roost was a popular inn on the Natchez Trace. It was located in central Mississippi, about half way between Natchez and the point where the trace intersected the Alabama-Tennessee line.

opened to this place. One of the Indians, called John Lewis,¹¹ has determined to make a settlement at this place; and several other design settling at different places towards Bear-Creek, for the purpose of raising Corn, and other necessities, for travellers, when the road shall be completed.

January 13th 1808, Clear and Cold.

A small Snow fell in the night. Set out early in the morning with the Chain-carriers and markers, in order to complete the Survey of the route [from the point where we quit surveying on January seventh].

Commence 22 chains in advance of the 84:th Mile, and run. . . . Through rich, level land. Hickory, Oak and Pine timber to the

85:th Mile. . . . cross a Reed-branch runing to the right. . . .

. . . . 86th Mile Down a small descent. . . . cross a rivulet runing to right.

87:th Mile. . . . Firm flat land, of good quality. Large Black-oak & Pine timber moist Land. . . . firm land, nearly level, and of good quality; with large Black-oak & Hickory timber, mixed with Pine. . . . cross a branch runing to right.

88:th Mile cross a Path leading N. 58° W., [for] about 45 chs. to the low grounds of Lunecisto, thence S. 80° W. [for] 100 chs. to the River, at a good ford, before noted.

. . . 89th Mile Strong land, nearly level. Oak, Hickory & Pine timber, with long grass. . . . a small Cyprus Lagoon to the right To a path near the River Tombigby, leading to a ford near the Cotton-Gin Bluff. . . . Cane-brake bottom to the right: Open, dry, level 2:nd [rate] bottom [land] to the left. . . . To Tombigby River, at upper end of a beautiful bluff, nearly opposite to, and a few chains above, the Cotton-Gin-Bluff [where we are camped]. To this place, the River runs South. 60° E. . . . [We proceed] Down the left bank of the river. Cane on right bank. . . . a small Island in the River, near the right shore. . . . a thin skirt of Cane, near the River on this Bank. . . . a small Island, near left shore. . . . mouth of a branch on right shore, near the upper end of a Bluff, or high Bank, R[ight], and there being also a high bank on this side, renders this a suitable point for a ferrying-place. . . . To Camp, on Cotton-Gin Bluff, on right bank.

January 14th 1808. Clear & extremely cold.

In order to ascertain the course and distance from this place to a Survey which I made, in 1802, from Bear-Creek to the head waters of Big-Black, — the point where the said survey crosses

¹¹English names were very common among the Chickasaws by 1808.

Town-Creek, Near Levi Colbert's¹² Settlement — Proceed to the said point, near the 60:th Mile from. . . Colbert's Ferry, [on the] Tennessee, and run. . . [southeast] to Camp on Cotton-Gin Bluff. Distance 8 miles & 158 chs. through an excellent body of upland, near the low grounds of Town-Creek.

January 15:th 1808. We this day build another Perogue, and make preparations for descending the River. Send the Pack-Horse party back to Muscle Shoals for the Baggage.

January 16:th 1808. Very cold.

Send Corporal Jacobs and one man with four Horses by land to S^t. Stephen's, and at a half past 7 °Clock A.M. depart, on board two perogues lashed together,¹³ from Cotton-Gin-Port, down the Tombigby River.

* * * * *

GAINES' COURSE, BY LAND, FROM THE HEAD OF THE MUSCLE SHOALS ON THE TENNESSEE TO COTTON GIN PORT ON THE TOMBIGBEE¹⁴ s45°w, for 50 chains [33 feet per chain]; s50°w, 110c; s45°w, 9 miles and 145c; s80°w, 16c; n80°w, 12c; n70°w, 27c; n62°w, 28c; s86°w, 25c; s70°w, 24c; due w, 33c; n70°w, 22c; s60°w, 27c; s75°w, 23c; s60°w, 32c; s71°w, 29c; s62°w, 34c; s66°w, 22c; s80°w, 11c; s55°w, 203c; s63°w, 28c; s40°w, 34c; s10°w, 25c; s26°w, 17c; s45°w, 36c; s16°w, 20c; s21°w, 64c; s31°w, 23c; s47°w, 36c; s33°w, 37c; s45°w, 87c; s45°w, 160c; s70°w, 66c; s56°w, 49c; s45°w, 38c; s45°e, 30c; s30°w, 36c; s47°w, 21c; s43°w, 39c; s60°w, 22c; s45°w, 19c; s38°w, 53c; s28°w, 74c; s20°w, 33c; s20°w, 47c; s45°w, 22c; s75°w, 28c; s48°w, 22c; s38°w, 41c; s45°w, 2 miles and 46c; s35°w, 54c; s45°w, 51c; s49°w, 9c; s45°w, 118c; s50°w, 257c; s55°w, 164c; s66°w, 42c; s57°w, 329c; s45°w, 210c; s56°w, 296c; s74°w, 24c; s54°w, 52c; s62°w, 92c; s82°w, 16c; s80°w, 98c; s78°w, 242c; s66°w, 140 c; s56°w, 26c; s42°w, 61c; s32°w, 25c; s38°w, 48c; s45°w, 116c; s61°w, 34c; s33°w, 28c; s52°w,

¹²In the early nineteenth century, Levi Colbert or Itawamba was one of the more wealthy and powerful Chickasaw chiefs. He owned 4,000 cattle, 500 horses, large herds of sheep and swine, and forty Negroes.

¹³A popular design for small river craft in the early nineteenth century was two perogues (or two dugout canoes) connected in the middle by a sturdy cane platform designed to carry baggage. This was, no doubt, the type craft the Gaines party constructed.

¹⁴The total distance by this course was 14,390 chains (33 feet each) or 89.9375 miles. The Gaines Trace was built over this route.

31c; s50°w, 17c; s45°w, 50c; s49°w, 44c; s46°w, 130c; s60°w, 30c; s70°w, 30c; n40°w, 24c; n70°w, 13c; s80°w, 20c; s56°w, 26c; s18°w, 32c; s48°w, 29c; s30°w, 25c; s70°w, 57c; s52°w, 28c; s70°w, 36c; s74°w, 59c; s60°w, 13c; s71°w, 32c; s28°w, 56c; s26°w, 67c; s66°w, 25c; s58°w, 38c; s36°e, 30c; s15°w, 44c; s28°w, 33c; due s, 77c; s20°w, 213c; due s, 113c; s12°w, 85c; s32°w, 53c; s48°w, 20c; s34°w, 10c; s29°w, 32c; s45°w, 48c; due s, 80c; s10°w, 110c; s23°w, 50c; s23°w, 68c; due w, 19c; due s, 13c; s23°w, 60c; due s, 87c; s10°w, 221c; s25°w, 16c; s20°w, 43c; due s, 63c; s12°w, 38c; s13°w, 16c; s21°w, 280c; s10°w, 40c; s28°w, 50c; s50°w, 55c; s30°w, 34c; s28°w, 596c; s45°w, 44c; s36°w, 95c; s45°w, 65c; s42°w, 393c; n50°w, 42c; s42°w, 205c; s56°w, 83c; s46°w, 442c; s68°w, 15c; s68°w, 85c; s63°w, 168c; s86°w, 25c; s67°w, 42c; s67°w, 152c; s82°w, 8c; s81°w, 40c; s68°w, 600c; s55°w, 99c; s64°w, 61c; s68°w, 346c; n75°w, 36c; n68°w, 32c; due w, 66c; due w, 35c; s70°w, 71c; n80°w, 16c; n82°w, 22c; s45°w, 16c; s64°w, 14c; s41°w, 138c; s24°w, 133c; s45°w, 20c; s54°w, 87c; s64°w, 25c; s73°w, 20c; s80°w, 35c; s57°w, 104c; s52°w, 56c; s52°w, 71c; s58°w, 89c; s62°w, 85c; s30°w, 15c; due s, 18c; s36°w, 32c; s20°e, 6c; due s, 24c; s48°w, 29c; s37°w, 23c; s18°w, 30c; due s, 5c.

BOOK REVIEWS

Partners in Rebellion: Alabama Women in the Civil War. By H. E. Sterkx. (Rutherford, N. J.: Fairleigh Dickinson University Press, 1970. Pp. 238. \$10.00).

Doubtless Professor Sterkx had completed this volume before the "Women's Lib" movement hit the front pages of the newspapers. Nevertheless, it is a timely book for that cause. The author says in the preface that he began this study with the "preconceived notion of producing a burlesque on Alabama Confederate women" whom he visualized as a body of "helpless, mostly ornamental creatures" who spent their time preparing for military balls, rolling bandages and, only on rare occasions, nursing wounded soldiers. [p. 10] As he proceeded with his research, however, he was surprised to find that these women (some 130,000 of them) were genuine partners with the men doing their part in the war effort. And it was no small part. The war was far from successful for the Confederacy, but "matters would surely have gone far worse without the help of the feminine noncombatants." [p. 11] This statement appears to be the theme of the book.

The titles of the ten chapters are quotations taken from representative diaries or letters and usually, but not always, give a clear idea of the contents. The first chapter, for example, entitled "Disunion, disunion is the watchword everywhere . . . Men seem drunk with passion, and women share their frenzy" is understandably about secession. Later chapters deal with Alabama women's roles as morale boosters (on both formal and informal levels), as propagandists (Augusta Evans being the most outstanding), as nurses (in both hospitals and their own homes), as suppliers of both necessities and luxuries for the service men, and as geniuses of invention in finding or making substitutes for goods no longer available. The author describes in detail both their heroism in facing the dangers attending enemy invasions and, when it became evident the cause was being lost, their disillusionment and despair.

It is evident in every chapter that women saw events and issues in the same way the men did. Dr. Sterkx points out that if there was any "common denominator" among women in Ala-

bama at the beginning of the war, it was "the conviction that all great enterprises were easy and did not necessarily need careful planning, preparation, organization, and the collaboration of competent and well-trained personnel." This, of course, was the way the men of the state viewed the conflict at the same time. When it became clear to the soldiers that technical know-how and military might were crushing the Confederates, the women, too, became aware that even though their cause was ever so just, they were losing the war.

Before 1861, Alabama women had lived their lives at home, playing the roles of wife and mother or, in the case of the few spinsters, of the maiden aunts. The war gave them their first opportunity to participate in public affairs. That they did this admirably is unquestioned. Therefore, the modern woman can have only admiration and respect for them. However, the "Women's Lib" leaders will be disappointed to learn that, once the war was over, women slipped back into their accustomed places, retaining none of the gains they had made in the four years of war.

The book has many features to commend it. The most impressive is the thorough research that is evident on every page. Since little had been written on the subject, the author had to rely heavily on manuscript materials and therefore it contains much that is new. It is easily read, containing stories of fascinating women. At the same time, it is sufficiently analytical. It has a good index, several pages of illustrations (most of them portraits of women), extensive notes and a useful bibliography. There is occasional evidence of Dr. Sterkx's somewhat flippant style but it is kept to a minimum. The volume is appropriately bound in gray.

As this reviewer sees it, the chief fault of the work lies, paradoxically, in its chief strength—its thoroughness. There can be no question that the author has done his research well and that he proves his points on every page. In fact, there are so many illustrations and quotations that the reader feels almost inundated with them. Half the number would have been sufficiently convincing. This weakness, if indeed it is one, does

not keep it from being a valuable addition to a growing list of good books on Alabama, the Civil War, and women in history.

—Lucille Griffith

University of Montevallo

Pioneer Life in Southeast Florida. By Charles W. Pierce. Edited by Donald Walter Curl. Foreword by Theodore Pratt. (Coral Gables: University of Miami Press, 1970. 264 pp. Contents, illustrations, preface, introduction, notes, index, \$7.95).

Pioneer Life in Southeast Florida is another account of an original settler's early life in South Florida. In a Foreword, Theodore Pratt described it as "the only full-length book account of the southeast coast that is devoted entirely to the time of early settlement . . ." Memories of childhood, adolescence, and early manhood between 1871 and 1894 were nostalgically recalled by Pierce as he remembered them in the 1930's. Professor Donald W. Curl edited the original manuscript and eliminated a considerable amount of repetitious material. The result is a gossipy, anecdotal account of day-to-day life in frontier Florida, but it was quite clearly written by an elderly man about an earlier period which he fondly recalled.

The book focuses on Lake Worth—present-day Palm Beach—to which Pierce moved with his family from Illinois in the early 1870's. Among the first arrivals on the lake, the Pierce family suffered the privations and enjoyed the satisfactions of man against nature in the wilderness, albeit a rather balmy wilderness. Young Charles learned to sail the lakes and coastal waters, watched the arrival of a few neighbors from time to time, and gathered building materials and staple goods—including coconuts and Spanish wine—from wrecked ships along the treacherous channel which flows northward near the lower east coast. For a time the family lived at one of the houses of refuge established by the government for the relief of shipwrecked crews on the coast. The elder Pierce managed the house. But they soon returned to their home on Hypoluxo Island in Lake Worth where Charles grew up.

There are accounts of hunting expeditions into the Everglades, the gathering of bird plumes for profit, attempts to

grow vegetables for market, and the life of a handful of families helping each other through the everyday difficulties of survival on the frontier. Pierce describes several salvage operations of wrecked vessels, the barefoot mail route to Miami, and the beginning of scheduled water transportation along the lower east coast as well as its eventual replacement by Henry Flagler's railroad which reached Palm Beach in 1894.

A small book about a limited subject, *Pioneer Life in Southeast Florida* is no landmark in the state's history, but it will be interesting to people who know Palm Beach as the luxuriously appointed playground of the rich.

Jerrell H. Shofner
Florida State University

A Guide to Spanish Louisiana, 1762-1806. By Jack D. L. Holmes. Louisiana Collections Series. New Orleans, published by the editor. 1970.

Only during the last few years have many of the avenues to the colonial history of the Gulf Coast been opened. This *Guide to Spanish Louisiana* for the years 1762-1806 is a fine contribution to this effort.

Dr. Holmes states quite accurately in his introduction to the *Guide* that historians have neglected the Spanish period of Louisiana—presumably in favor of the French period—and he provides this compilation of sources to overcome this neglect.

By Spanish Louisiana in this context is meant the area which extended from Natchitoches, Louisiana in the west, north to St. Louis, east to the Apalachicola River—and thus includes West Florida at its most extensive—to the Gulf of Mexico on the south. Dr. Holmes says that the *Guide* is intended for the use of three types of users: the general public (although one suspects that the public who will use it is not very general), high school and college students, and historians; of these, historians will probably be the most numerous and most grateful users. The "Outline of Spanish American History" with which this slim paperback opens, presents year by year the events in the area's development, from the Treaty of Versailles in 1762, when Spain and France joined in an alliance which had con-

siderable significance for both empires, to 1806 when General James Wilkinson and Lieutenant Simon Herrera signed an agreement to create a buffer zone from the eastern boundary of Texas and westernmost Louisiana. This chronology is an extremely valuable feature of the book.

The *Guide* contains a large and varied, if not completely comprehensive, list of sources for this area's history during these years. The bibliography itself is classified by type of publication, although perhaps the classifications tend to merge and blend. The lists of publications are divided into: I. Published Sources; II. Books; [III.] Published Studies: Articles; [IV.] Source Guides and [V.] Dissertations and Theses. In some cases one may wonder what determined the classification of certain items.

This is the second volume of the Louisiana Collection Series and most users will find it extremely helpful as a starting-place for the detailed study of Spanish Louisiana history.

Our spy tells us that the statue on the cover is that of Bernardo de Galvez at Mobile, but there is nothing in the book to confirm this.

Marion Viccars
University of West Florida

The Apportionment Cases. By Richard C. Cortner. (Knoxville, Tennessee: The University of Tennessee Press, 1970. Pp. ix, 283. \$10.95.)

It was no more than a whimsy of history, perhaps, that gave the neighboring states of Tennessee and Alabama leading roles in the reapportionment revolution of the sixties. That both states were in every sense well qualified for their roles cannot be gainsaid: each had a long history of legislative neglect of state constitutional provisions for regular decennial reapportionment, each a legislature with a heavy over-balance of rural representation, each a highly frustrated urban population without political means of redressing the balance. Yet other states had been equally burdened with the scandal of malapportionment

and some had been more active in their efforts to remedy the matter than either Tennessee or Alabama. It was Tennessee, however, that successfully brought the currents of reform into confluence in *Baker v. Carr*, while the forces of reform in Alabama, following in the wake of *Baker*, grappled with issues that led to the United States Supreme Court to take its implacable stand behind the one-man, one-vote rule in *Reynolds v. Sims*.

Few decisions in the history of the Court can stand in importance with the two apportionment cases. In the years since the opinions were handed down there has been a flood of cases carrying the doctrine of equal representation into the remotest corners of state and local government. From a vantage point of professor of political science at the University of Tennessee, Richard Cortner has written a detailed and accurate account of the two great apportionment cases. The principal virtue of the book is its thorough yet readable treatment of the origins and development of the cases, setting off each against its background of local conditions, clarifying the issues, describing the scattering of reformist forces within the state that came together to form "litigating coalitions," elaborating on the legal and political tactics and weaponry employed, and charting the long tortuous judicial road from lower courts to the Supreme Court and final triumph.

In Tennessee, urban interests in West, Middle, and East Tennessee were represented by Walter Chandler (Memphis), Z. T. Osborn (Nashville) and Hobart Atkins (Knoxville). In Alabama, the bases of the litigating coalition were in Birmingham and Mobile and involved a rather younger group of individuals with less political experience. Birmingham's interests were advanced, somewhat against her will, by a number of young attorneys and businessmen who were with few exceptions members of a progressive and liberal-oriented organization called the Young Men's Business Club. Out of Mobile support of litigation as a means of achieving reapportionment came almost singly from a young and able attorney, John McConnell, Jr. Given the fact that the forces in Alabama became most active following the *Baker* decision, it is nonetheless clear in the differences in the composition of the litigating groups in Tennessee and in Alabama were largely responsible for the differences in goals. In the *Baker* case there was early and easy agreement among

the reformist litigants as to the central objective: to enlist judicial power in accomplishing reapportionment. Other objectives could be considered once this was achieved. The loose coalition surrounding the *Reynolds* case encountered some difficulties here. Several members sought only to gain court enforcement of the provisions of the Alabama Constitution providing for representation in the legislature. Others, particularly McConnell of Mobile, contended strongly that the Alabama Constitution did not meet the standards of the Equal Protection clause in that it allocated one representative to each county without reference to population and established unequal representation in the Senate. Ironically, the initiative at this point was taken from the plaintiffs by the defendants in the Alabama case when the probate judges of Dallas and Marion counties appealed the decision of the federal district court in Montgomery. The appeal became *Reynolds v. Sims* before the Supreme Court. In arguments before the Court by the plaintiffs only John McConnell took the position that both house of a legislature must be based fully upon population, that no other standard was permissible.

A course of action once set in motion to achieve certain objectives often produces unanticipated consequences which at times may be directly opposite to the original goal. This is illustrated by the apportionment cases which decisively destroyed the county as a unit for political representation. According to Cortner's account, in 1962 the legislature in Alabama was faced with the problem of reducing the number of congressional districts in the state from ten to nine following the 1960 federal census. One plan proposed, and eventually adopted, would have divided the congressional district formed by Jefferson County (Birmingham) among several surrounding districts. This threatened division of the county, with its subsequent loss of identity as a congressional district, so infuriated the leaders of Birmingham that retaliatory action against the legislature in the form of a reapportionment suit was openly discussed. To the surprise of the city's more conservative and responsible leaders the threatened suit was filed by the young progressives of the Young Men's Business Club. Its objective was to secure legislative reapportionment, which it achieved, but also it closed the books on the county as a political unit upon which to base representation.

This was an unanticipated consequence except to a very few. The *Reynolds* decision, in truth, went beyond what many were willing to accept and was the source of heated attacks upon the Supreme Court. In the Congress opposition in the House of Representatives was able to pass a measure removing apportionment cases from the jurisdiction of federal courts. The real battleground, however, lay in the Senate where Senator Dirksen had introduced a proposal for a two-year delay in enforcing the one-man, one-vote rule. This move was defeated by a small group of liberal Senators who employed, ironically, that most despicable of all parliamentary weapons, the filibuster, to block a vote. Dirksen made several later efforts to gain Senate approval of a constitutional amendment that would have returned to the states the option of basing representation in one house of a bicameral legislature on factors other than population. Enough support was mustered to obtain a substantial majority vote (57-39), but short of the necessary two thirds required for an amendment.

What thoughts were in the minds of the members of the Court as they observed the congressional battle? One doubts that the Court was embarrassed to find that the champion of its one-man, one-vote, equal representation rule was a minority of members of the most malapportioned legislative body in the nation. The constitution provides for many such anomalies in the workings of our federal system.

Luther Martin of Maryland. By Paul S. Clarkson and R. Samuel Jett. Baltimore and London: The Johns Hopkins Press, 1970. iii, 336 pp. \$12.00.

Despite the importance of lawyers in America — and twenty-five of our thirty-six presidents have been trained in that profession—few of them are long remembered except as statesmen or judges. Among the exceptions, the storied gladiators of the courtroom, Luther Martin (1748-1826), is one of the most eminent.

A New Jerseyman of yeoman stock with a Princeton degree and about six years of law practice, Martin was lifted from

obscurity at the age of thirty. Possibly through the influence of Samuel Chase, already his friend, he was named attorney-general of his adopted state of Maryland. The place was going begging; Martin held it until the end of 1805—a tenure still unmatched in any state—and again from 1818 to 1822. For about forty years, in or out of office, he was the acknowledged leader of the Maryland bar and no one stood higher, in the first two decades of the nineteenth century, at the bar of the United States Supreme Court.

His character lent itself to anecdote. He was learned, eccentric, generous, witty, the most rancorous of partisans, the most loyal of friends, and with a capacity for work only surpassed by his capacity for brandy. Since he was also the leader of defense counsel in the two great political trials of the early republic, those of Justice Chase and Aaron Burr, it is hard to understand — despite the absence of private papers — why his biography was not written sooner. It is appropriate, though not an unmixed blessing, that two Baltimore lawyers have finally done the job.

Their book is clearly written, well-proportioned and based on impressive research. Some of its weaknesses are doubtless inherent in the material. Others reflect the professional outlook of attorneys who have been briefed for Luther Martin.

The man's personality, for all its color, emerges only by flashes. Descriptions of him, chiefly by later writers, are more prominent than his own words. His thoughts are rarely traceable, and if he had a legal philosophy it does not appear. It may be significant that those historians of the American mind most concerned with lawyers and the law—the late Vernon Parrington, the late Perry Miller—have ignored Martin. We do not even learn whether he preferred the authority of Blackstone or, like his *bête noir* Jefferson, that of Coke.

Yet the authors have a real feeling for the professional milieu in which Martin worked—we are made aware of the long hours, the staggering case load, the hard, itinerant life which perhaps accentuated his dependence, especially as a widower, on drink. They are zealous for the traditional glories of the Mary-

land bar, but their grasp of the general historical background seems weak and their partisanship excessive.

Since Martin opposed the Constitution, that document becomes the work of "the Virginia conspiracy." His role as an Anti-Federalist spokesman is maximized and Oliver Ellsworth's charge that he was a garrulous bore at the Philadelphia Convention is persistently attacked. Yet fellow-attorneys repeatedly remarked on Martin's merciless verbosity, and he may very well have been one of those lawyers—especially familiar in English history—who are far less effective in a deliberate body than in an adversary proceeding.

Martin, like his friend Chase, became a violent Federalist in the 1790's, and Messrs. Clarkson and Jett apparently share his hostility to Jefferson and Madison. Their account of his controversy with the former over the murder of Shawnee chief Logan's family—an atrocity which Jefferson, following common report, had ascribed to Martin's father-in-law Michael Cresap—should be balanced against that of Irving Brant in the first volume of his *James Madison*. And their emphasis on the Federal job found for Jefferson's principal witness John Gibson, should be qualified by the fact (which they must know but do not state) that the appointment was made by John Adams.

Similarly, their account of the Chase impeachment repeats the hoary and unproven assertion that had "Old Bacon Face" been convicted John Marshall would have been the next to go. Yet there has never been any evidence, other than the threats of the maliciously partisan William Branch Giles, that further impeachments were planned. And one would hardly gather, reading Clarkson and Jett, that Judge Chase had abused his powers in the trials under the Sedition Act.

The same flair for omission results in the near-whitewashing of Aaron Burr. The authors disclaim any responsibility to ascertain the truth, as distinguished from the law, but they lean heavily on those historians most favorable to the ex-Vice President. (The best recent study, that of Thomas Perkins Abernethy, is cited in their bibliography but virtually ignored.) And Jefferson is accused of trying to frame a man whom he knew

innocent, since he wrote James Bowdoin that Burr's *recent* plans had been directed wholly against Mexico.

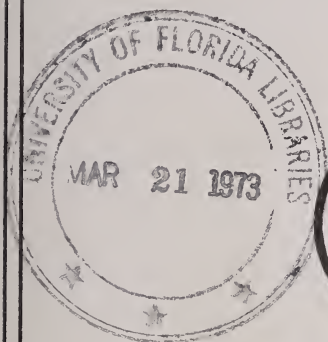
This is unlikely to have been a confession. Bowdoin was not a confidant: he was Jefferson's minister to Spain. Anything written to him would, normally, be read by the Spanish authorities before he saw it. It would, in any case, provide him with the version of the conspiracy which he was expected to give them. And Jefferson had every motive, in that context, to emphasize the danger to Spanish America while playing down the insecurity of his own hold on New Orleans.

Yet Martin's was an important achievement and one of which it is never untimely to be reminded. It was well for the future of our government that the judiciary be protected from political removals and that the conviction of individuals for treason be kept as difficult as the authors of the Constitution had intended. Here the "Federal bull dog" served the cause of liberty better than did her ideological champions—though his clients may have been, as he himself once said when drunker than usual, "a couple of the greatest rascals in the world."

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CONTENTS

Agrarian Distress in the Seventies: The Mulberry Agricultural Club Versus Governor David P. Lewis <i>by William Warren Rogers</i>	169
Stanley Hubert Dent and American Military Policy, 1916-1920 <i>by Robert D. Ward</i>	177
Journey to Texas, 1854; The Diary of Robert Seaborn Jemison of Talladega <i>by Hugh D. Reagan</i>	190
Joseph G. Baldwin's "Stocking a Laugh"—A Hitherto Uncollected "Flush Times" Sketch <i>by L. Moody Simms, Jr.</i>	210
Benjamin Hawkins Trip from New York to Coweta Tallahassee, 1798 <i>by Marion R. Hemperley</i>	218
Edmund Pendleton Gaines' Description of the Upper Tombigbee River, January, 1808 <i>by James H. Stone</i>	227
"With Loyalty and Honor as a Patriot" Recollections of a Confederate Soldier <i>edited by Royce Shingleton</i>	240
Book Reviews:	
Griffith, Royall, <i>Letters from Alabama, 1817-1822</i> , <i>by Benjamin B. Williams</i>	264
Lane, <i>The Debate Over Slavery: Stanley Elkins and His Critics</i> , <i>by Marshall Rachleff</i>	265
Still, <i>Iron Afloat</i> , <i>by Maxine Turner</i>	268
Still, <i>Confederate Shipbuilding</i> , <i>by Maxine Turner</i>	269

Thomas, *The Confederate State of Richmond: A biography of the Capitol*, by Haskell Monroe270

Milo B. Howard, Jr., Editor

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AGRARIAN DISTRESS IN THE SEVENTIES: THE MULBERRY AGRICULTURAL CLUB VERSUS GOVERNOR DAVID P. LEWIS

by

William Warren Rogers

As Alabamians struggled through the bitter years of Reconstruction, they contended with a political and social revolution. The Republican party was in power, and the newly freed and newly enfranchised black man forced fundamental changes in society's makeup and direction.¹ But political tensions and relations between races could, in time, be adjusted. The settlement or accommodations might not be wise or even fair (as many times they were not), but these difficulties were not so pressing as economic concerns. Regardless of age, race, sex, or color, the individual in Reconstruction Alabama faced the not always easy demand of survival.

The life of the state in ante-bellum times had come from the soil, and the survival of the state became no less dependent upon the products of the earth. Destruction by war and recovery from its effects was difficult enough, but the situation was compounded by the dislocations of Reconstruction and then, in the 1870's, by a severe economic depression that, while nationwide, lingered much longer in the South. Hoping to achieve relief by collective action, farmers in several counties formed agricultural clubs. Cooperative interchange of ideas and farming practices might not offer salvation, but the agrarians proceeded on the correct theory that they had nothing to lose²

The Mulberry Agricultural Club of Autauga County was one farm organization that not only operated locally but attempted to secure action at the state level. In the fall of 1873 a committee from the club, headed by Charles M. Howard, engaged in

¹Although a modern study of Reconstruction in Alabama is needed, of continued importance is the pioneering work by Walter Lynwood Fleming, *Civil War and Reconstruction in Alabama* (New York, 1905).

²For the general picture of Southern agriculture in this period see Theodore Saloutos, "Southern Agriculture and the Problems of Readjustment: 1865-1877," *Agricultural History*, XXX (1956), 58-70. For conditions in Alabama see William Warren Rogers, *The One-Gallused Rebellion: Agrarianism in Alabama, 1865-1896* (Baton Rouge, 1970), 1-30.

an exchange of letters with Republican Governor David P. Lewis.³ The communications, which contained no hint of partisan politics, are important in that they reveal the relentless difficulties faced by farmers. Beyond this, the two letters composed by the committee are brilliantly written. In style—graceful yet trenchant, philosophical yet incisive—they owe less to the Victorian age and more to that of Thomas Jefferson. The reply of Governor Lewis (deliberate and somewhat pedantic) shows concern but no real awareness of what direct participation by the state could accomplish in alleviating the plight of agriculture. After its mild proposals were rejected by the chief executive, the committee had the last word in a classical reply. With extreme courtesy the Autauga County farmers informed the governor, that, in effect, he was wrong, but held out hope that he might at some time understand their needs.

No immediate state laws were passed to aid the farmers; there was not even a State Department of Agriculture until 1883. Yet the letters remain as painful reminders of harsh economic conditions and as eloquent testimonials to the enlightened concepts of the Mulberry Agricultural Club.

Mulberry P. O. Autauga Co. Ala.

Sept 20th 1873

To His Excellency

D. P. Lewis

Gov. of Ala.

Dr. Sir:

At a late meeting of the "Mulberry Agricultural Club," we were appointed a committee to communicate with you upon the subject of our agricultural necessities and invoke your cooperation in measures of relief. If apology be necessary, let the circumstances by which we are embarrassed and our anxiety to improve them, plead our excuse.

It is difficult to appreciate the prostrate condition of our farming interests without contact with our rural districts or

³These letters are on deposit in the Governor's Correspondence files in the Alabama Department of Archives and History, Montgomery.

familiarity with the avenues through which our farmers obtain assistance. While our population possesses in a large degree the two most important elements constituting wealth — industry and frugality, never have they received so little encouragement from their own efforts or from legislation as within the last few years. The failure of two crops in succession have nearly bankrupted a majority of our merchants and planters, and despondency is gaining the ascendancy over all remaining energy. Domestic capital is seeking investment beyond the State, that from abroad, recoils at the prospect offered for entry, while labor — crushed by want of adequate returns — seeks foreign fields where well-directed activity finds ampler remuneration.

Of the appropriations made by Congress for all purposes during its last session, one dollar only in the thousand, it is said, was directed to the interests of agricultural pursuits, while in our State comparatively little attention has been given by legislation to the growth of those pursuits engaging the time of a majority of our people. Local wants have been met, individual claims satisfied, partisan ends promoted and latent resources sought to be unearthed, while it is feared that the tendency of some legislation has been to antagonize pursuits and conditions that should be in harmony. As a result of this policy may be referred the present want of both private and public credit.

While persuaded that we share your sympathy, we claim your assistance. Is it not humiliating to feel that the productive industry of our state has suffered a loss of 15 millions of dollars in the last 60 days and yet the unwelcome reality compels the confession. The desolation that advertises itself in every cotton field is a repetition of that of last year and today we are deprived of the reward delusive hope offered us but two months ago. And must this continue from year to year? Is there no hope of relief — no appearance of a brighter tomorrow? If none, then is the basis of all our business pursuits shaken, the hope of reward blasted, and Alabama—no longer symbolized by the cheering words, "*here we rest*," must yield to the logic of events and witness the exodus of a *restless* population to more inviting fields of labor and enterprise. But should we indulge in so gloomy a view?

In the older states, evils of less magnitude inflicted upon their industrial pursuits, have arrested legislative attention and made to yield to well-digested measures of relief, and surely our losses under the embarrassments that otherwise surround us, warrant a like course. Individual activity reports some progress in the direction of arresting the ravages of the cotton-worm, and if sustained by legislative cooperation, we will not deny ourselves the hope that before another crop is matured, a large measure of relief will be in reach. To this end, allow us to suggest that some recommendation be made by you to our next Genl Assembly, looking to the appointment of some suitable agent whose duties shall be limited to the collection of information in reference to the active enemies of the cotton plant and the means necessary to their destruction. The general dissemination of such information before another crop is planted would be a valuable contribution to the security of the agricultural interests of our State and section and have the tendency to dispel the gloomy apprehensions which now so heartily weigh down our people.

The resolutions of the club authorizing our appointment justify us in a more comprehensive view of our material necessities, but we forbear. The influence with which official position invests your Excellency induces us to present these considerations direct to you, believing that you are ready to inaugurate any measure or means calculated to subserve our interests. A careful survey of their magnitude and the dangers that now threaten them, can but result in an increased desire to protect and enlarge them, and hence we appeal with confidence to you to aid us, not only in the measures of relief suggested by this communication but in all others, to the end that lost confidence be restored, renewed animation infused into our agricultural circles and thrift and contentment pervade all classes of our commonwealth.

Respectfully
Chas. M. Howard
T. D. Cory
Thos. Underwood
O. C. G. LaMan
Leonidas Howard
J. A. Wilkinson

Montgomery Sept 25th 1873

Messers Charles Howard, and others, Committee of Mulberry Agricultural Club;

Mulberry, Autauga Co, Alabama:

Gentlemen;

I have the honor to acknowledge the receipt of your interesting communication of the 20th Inst, on the condition of the agricultural interests of Alabama.

I thank you for the confidence you have in my sympathy not only with the general suffering of our population, but also with the great embarrassments of this branch of industry that cultivates the soil. My investments and interests are entirely agricultural. And it would be strange indeed if I should be insensible to causes which embarrass, and depress the planting interest.

I beg to assure you, that I will cheerfully co-operate, in any well devised legislative plan, that may afford relief to our suffering population.

But while I shall be ready so to act, your communication shows you to be too intelligent, to suppose that legislation can pay debts, or supply the deficiencies of a bad system, or defective management. There is no more suitable occasion that in the present pangs of our suffering community, to inculcate the truth, that the people must work out their own relief by good management, economy, thrift, & industry. Your "Club" can render no greater boon to the people of the State, than to teach them, that every plantation which does not raise its own supplies, is on the road to ruin. The exhaustion of the soil by the production of more cotton, the proceeds of which purchases supplies to sustain the labor that produces it must in the end lead to absolute indigence.

To accomplish this variety of crops, the owners of land should reside on their plantations, and participate themselves in the labor, care, and supervision of this branch of industry. The landed proprietor has ceased to be worthy to own the soil,

which, from indolence, or morbid sentiments, he esteems an unfit place for his residence. A wise and necessary adaption to the fundamental changes in our system of labor by the landowner, alone will prevent him from being superseded, as proprietor, by the operation of the laws of nature, which nothing earthly can contravene. The great law of nature teaches us, that the most energetic, and thrifty of the population will own the best lands in any community. Nor is any exempt from the operation of this law.

I am sure that your club will appreciate these truths, and by percept, and example, demonstrate their wisdom & utility.

I have the honor to be,

Your Obedient Servant

David P. Lewis

Mulberry P. O. Autauga Co. Ala.

Oct. 4th 1873

His Excellency

D. P. Lewis

Gov. of Ala.

Dear Sir:

It is our pleasure to acknowledge the receipt of your letter of the 25th ult. responsive to ours of the 20th and while thanking you for your prompt attention, the Club directs us to reply.

The lessons we have learned in the school of experience have cost us too much to be insensible to the force of your Excellency's remarks respecting the policy pursued by the agricultural interests of the state. The high price of cotton persuaded too many of us that its culture offered us the surest means to aid us in meeting our obligations, while both labor and capital, in their changed relation, feared the experiment of a departure from accustomed channels. These truths, so generally accepted as such, serve to mitigate a policy which we now regard as truly unfortunate.

Conceding however all you suggest as necessary to place us again on the road to success [yet] there is, as we conceive, still much force in the subject of our late letter. Any change in our industrial pursuits that would pretermit the cultivation of cotton, or assign to it, an unimportant place in the roll of farm products would doubtless inflict upon us a misfortune second only to that we now realize. We concede that we should, by all means, raise our own supplies, but cannot so readily yield assent to the idea that we can compete with the North and West in distant markets in the sale of those products common to both sections. To be prosperous, we must have a surplus. We claim that the surplus should be cotton and its importance therefore suggests that its culture should be studied and such public as well as private means used to cheapen production as will not militate against other public pursuits. Alabama has been remarkably unfortunate for two years and hence our concern should predominate over that of those whose afflictions have been less. It was in this view of the subject that our letter was addressed to you and the reply of your Excellency has not impaired our confidence in its wisdom.

We have therefore to regret that you fail to discover importance sufficient in our application to induce you to *initiate* a measure calculated to encourage a more hopeful prospect. We asked for no appropriation to pay debts nor sought assistance to supplement mismanagement. Our petition was prospective, involved no pecuniary consideration but simply asked the collation by Legislative action, of all the facts bearing upon a subject, the nature of which is such that our agricultural public cannot otherwise reap the benefits of individual effort. With this point secured, we have confidence to believe that we can vindicate our ability to relieve ourselves.

For a people, whose material interests have so severely suffered, and from whose industry the government derives so much to sustain it, we can but hope, that upon a review of the subject, your Excellency will recognize in it, a greater importance and sustain us to the extent indicated. Especially so, as our application is in striking contrast with those so often made by other interests, whose relation to the government is not so

vital, while their growth has been so largely encouraged by its aid.

Respectfully,
Chas. M. Howard
Thos. Underwood
J. A. Wilkinson
Leonidas Howard
T. D. Cory
O. C. G. LaMan

STANLEY HUBERT DENT AND AMERICAN
MILITARY POLICY, 1916-1920

by Robert D. Ward

The United States' declaration of war on Germany in April, 1917 brought an immediate emphasis and importance to military affairs, and gave new prominence to the men who helped shape American military policy. One of these men was Representative Stanley H. Dent, Democrat of Alabama, the chairman of the House military affairs committee. From the pre-war agitation over preparedness, through the issues and organizational problems of the war, and on to the final post-war debate on military policy, Dent played a major role. His career, and the policies he espoused, make it clear that there are no simple explanations of the Southern mind. The easy demarcations of "liberal" and "conservative" lose validity in the complexities of human thought, and are utterly demolished by the shifting references of even a few decades.

Stanley H. Dent was born a member of what Theodore Roosevelt liked to call "the governing class." His father was an honored Confederate veteran, a successful lawyer in Eufaula, Alabama, and a respected and influential member of the Democratic hierarchy. There was no question of the "Bourbon" allegiance of the Dents. In 1896 father and son supported the Gold Democrats against the challenge of the Jeffersonian Democrats and their Populist allies. In 1901, Dent's father was a member of the constitutional convention that, through Negro disfranchisement, ended the threat that common economic and political interests might transcend even race in Alabama politics.¹

The younger Dent graduated in law from the University of Virginia, practiced his profession for ten years in his native Eufaula, and served his political apprenticeship speaking for Democratic candidates.² He might thus have set the pattern

¹See Joel C. DuBose, ed., *Notable Men of Alabama*, 2 vols. (Atlanta, 1904), I, 64, and General Clement A. Evans, *Confederate Military History*, 12 vols. (Atlanta, 1899), VII, 417-420. The Dents' early political positions are mentioned in A. B. Moore, *History of Alabama* (University, 1934), 644, and in the *Montgomery Advertiser*, October 7, 1938.

²DuBose, *Notable Men*, I, 65; *Eufaula Daily News*, July 22, September 20, 1898.

of a lifetime: county politics, a comfortable legal income, and perhaps a judgeship for the future. But the pattern, if formed at all, was not followed. In 1899 Dent moved to Montgomery and joined the law firm of General William C. Oates, a friend of his father's, and the conservative victor over Reuben Kolb in the heated gubernatorial election of 1894. In 1902 Governor William D. Jelks, a fellow Eufaulian, appointed Dent as solicitor of Montgomery County to fill an unexpired term, and in 1904 Dent won election to the position for a full six year term. The influence and prestige of his father marked Dent's road to preferment, but he proved himself a competent attorney, and one of the more scholarly members of the Alabama Bar Association.³

With pledges of support from Democratic leaders, Dent entered the contest in 1908 for representative from the Second Congressional District. Dent's major opponent was William H. Samford, an experienced politician and campaigner. Samford won the endorsement of the powerful Anti-Saloon League, and seemed a sure winner in the election. After an inauspicious beginning, Dent centered his attack on the Alabama superintendent of the Anti-Saloon League, the Reverend Brooks Lawrence of Ohio, and ignored Samford for the rest of the campaign. Demagoguery paid handsomely, and Dent, with a huge vote from his own Montgomery County, narrowly defeated Samford.⁴

The new congressman was thirty-nine years old, a conservative in the states rights fashion of Southern politicians, and apparently opposed to prohibition. Beyond this a discernible ideology was difficult to find. It remained for time and issues to produce specific views and hard convictions.

On his entry to Congress, Dent was assigned to the House

³Montgomery *Advertiser*, November 22, 26, 27, 1902; Montgomery *Journal*, April 14, 1904; *Biennial Report of the Attorney-General of Alabama to the Governor* (Montgomery, 1906), 33. And see S. H. Dent, Jr., "Common Law System of Pleading," *Proceedings, Alabama State Bar Association* (1903), 70-75.

⁴The election may be followed in some detail in the Montgomery *Advertiser* and the Montgomery *Journal*, April-September, 1908. Dent played endlessly on Rev. Lawrence's Ohio background and his intervention in Alabama politics. As Dent put it, "The league is drawing whatever money it can from the women and children in this land and putting into its treasury, and he [Lawrence] has his hand there ready to dig into that treasury, and he digs and digs into it in order to support himself and to take care of his family, if he has any, in Birmingham." See Montgomery *Advertiser*, September 7, 1908.

military affairs committee, and it was here that his basic predilections found supplement and reinforcement from his chairman, James Hay of Virginia. Hay had consistently opposed both army personnel increases and army reforms after the Spanish-American War. He had clashed repeatedly with Chief of Staff Leonard Wood, and only the intervention of President Taft had stopped Hay's effort to have Wood removed. Hay demanded a small, volunteer professional army; he opposed any increase in the power of the General Staff, and he was adamantly opposed to conscription. A National Guard and a reservoir of citizens who would come forward in emergency was an adequate system for the defense of the nation. To pursue another course could only result in militarism — a term for Hay that included any enhancement of the army's role in policy decisions.⁵

There seems little doubt that Dent found these views congenial. The Jeffersonian tradition had been the catechism of Dent's early political views. If it too often had been the refuge of the reactionary against change and reform, its libertarian emphasis on the individual, and its fears and distrust of military power, became touchstones for Dent's congressional career. These views were soon to be tested against the growing pressure of events.

The outbreak of war in Europe in 1914, with its implied threat to American security, brought forth growing demands for military preparedness in this country. Through the medium of many organizations the plea was made, and the political pressure applied, for a strengthening of the army and navy, and the enactment of military training for all young men. While the movement laid claim to national support, its financial base and its leadership were predominantly Northern, its political orientation strongly Republican, and its broader ideas best characterized as a blend of Big Business *laissez-faire* and Rooseveltian Nationalism.⁶

⁵For Hay's views see George C. Herring, Jr., "James Hay and the Preparedness Controversy, 1915-1916," *Journal of Southern History*, XXX (November, 1964), 383-404.

⁶The most vocal, influential, and best financed of the preparedness groups was the National Security League, organized in 1914. See Robert D. Ward, "The Origin and Activities of the National Security League, 1914-1919," *The Mississippi Valley Historical Review*, XLVII (June, 1960), 51-65.

Although the initial movement for greater military preparedness was almost a monopoly of the Republican Party, Democrats, including President Wilson, could not long ignore the political threat inherent in the issue. With some reluctance, Wilson adopted preparedness for his own, and ordered his Secretaries of War and Navy to produce a program to strengthen the armed forces. On December 7, 1915 the President presented to Congress the "Continental Army Plan" of Secretary of War Lindley K. Garrison. This called for the creation of an entirely new army reserve of 400,000 men to be raised through volunteering, and for an increase in the size of the Regular Army.⁷ These plans made it clear that the National Guard would no longer be considered as the Nation's second line of defense. Garrison's ideas on the role of the Guard were in full agreement with nationalist abhorrence of state troops, and thus exactly in opposition to the views of Chairman Hay, Dent, and a majority of the House military affairs committee. In their resistance to a Continental Army, and in their basic distrust of military power, the Southerners were in actual, if unacknowledged, agreement with the liberals of the day. If this constituted a most incoherent alliance it was nevertheless a powerful one — and one that the President himself could hardly overlook.⁸

Confronted by a revolt in the ranks, Wilson repudiated Garrison's Continental Army and accepted a Hay compromise. Garrison resigned as Secretary of War in anger and disgust, an instant martyr for the preparedness crusade. The Hay bill was adopted by the House military affairs committee, and submitted to the House for debate. Speaking for the bill, Dent demonstrated that his conversion was complete. "I believe," he said, "that the sentiment of this nation is in favor of building a second line of defense from the citizen soldiery of the country who mix and mingle daily in the business and social life of the people among whom they live." On this premise, an enlarged National Guard with more direct Federal training, plus an increase of the Regular Army to 220,000 men should

⁷*Congressional Record*, 64th Cong., 1st Sess., 223.

⁸See Herring, "Hay," and Martha Derthick, "Militia Lobby in the Missile Age—The Politics of the National Guard," in Samuel P. Huntington, ed., *Changing Patterns of Military Politics* (New York, 1962), 203.

⁹*Congressional Record*, 64th Cong., 1st Sess., 4350.

answer the needs of the Nation. Beating down Republican efforts for a still larger Regular Army, the House passed the Hay bill by an overwhelming vote. Hay and Dent, representing the House in conference committee, stood firm against the Senate's acceptance of the Continental Army, and maintained the essential terms of the Hay bill. The National Defense Act of 1916 was a defeat for extreme preparedness advocates, and a clear manifestation that Southerners not only controlled military policy, but controlled it in a most unmilitant direction.

With the National Defense Act completed, and with military matters supposedly settled for the immediate future, Chairman Hay accepted an appointment to the Federal judiciary. While preparedness advocates might cheer Hay's retirement from the House, they had little grounds for optimism. Continuity of viewpoint was not broken as Dent was named the new chairman of the military affairs committee on September 5, 1916.¹⁰

For almost eight months Dent presided over his committee without the intrusion of major problems. Republican militants continued their agitation for preparedness and inundated the nation with propaganda for universal military training.¹¹ Despite these cries for action the Wilson administration was not inclined to go further down the road of preparedness. This stalemate was broken with the severance of diplomatic relations with Germany in February, 1917, and Wilson's later request for a declaration of war on April 2. With war a reality, the basis of military debate was dramatically altered. It was now agreed that the chief task of the nation was to raise an army for immediate action. How was that army to be raised?

When Wilson asked his Congress for a declaration of war, he also called for an "army of at least 500,000 men based on the principle of universal liability to service . . .," with additional increments to be added as they were needed.¹² This was the first

¹⁰*Ibid.*, 13,879.

¹¹Chase C. Mooney and Martha E. Layman, "Some Phases of the Compulsory Military Training Movement, 1914-1920," *The Mississippi Valley Historical Review*, XXXVIII (March, 1952), 633. And see the interesting "Itinerary of Henry L. Stimson and Frederic R. Coudert through the West and South, April 1, 1917 to April 14, 1917, in Henry L. Stimson Papers, Yale University Library.

¹²*Birmingham Age-Herald*, April 3, 1917.

public intimation that Wilson had decided to use conscription to raise his army, and the point was almost lost in the initial immensity of being in the war. On April 4, Dent announced that his committee stood ready to hear specific recommendations from Secretary of War Newton D. Baker.¹³ At this point Dent's committee was composed of twelve Democrats and eight Republicans. Seven of the twelve Democrats were from the South, and most, like Dent, were "little army" men.¹⁴ The legend of Southern militarism found little representation here.

With great events in the offing, the *Montgomery Advertiser* pointed with pride to Dent's crucial role of leadership and observed that "it is expected that Mr. Dent will widen his reputation as a statesman."¹⁵ But what now ensued was not quite what the *Advertiser* had in mind.

On April 6, Secretary Baker testified before the House committee and spelled out the administration's desire for a conscriptive system. When Baker concluded his presentation it was clear that the wartime pressures of "supporting the president" would not be enough to guarantee smooth sailing for a draft bill. As a result of the first meeting with Baker, the Southern Democrats voiced their opposition to conscription. Some candidly stated their fear that conscription would undermine white supremacy. Dent announced that his opposition was based on a matter of conscience, but if convinced there was no other way to raise an army he would yield on his convictions.¹⁶

On April 9, Secretary Baker met once again with the military committee, and by now the battle lines were hardening. The Southerners argued for the traditional use of volunteering, and Baker, equally adamant, insisted that only conscription could raise the necessary troops.¹⁷ Again, as in 1916, the House military affairs committee had rebelled against presidential

¹³*Ibid.*, April 5, 1917.

¹⁴Besides Dent, the committee included Quin of Mississippi, Wise of Georgia, Nichols of South Carolina, Harrison of Virginia, and Garrett of Texas.

¹⁵*Montgomery Advertiser*, April 3, 1917.

¹⁶*New York Times*, April 7, 1917.

¹⁷*Mobile Register*, April 10, 1917.

policy. Once again the Southerners constituted the core of the rebellion. In 1916 Wilson had compromised to keep peace in the party; but in 1917 Wilson spoke for the nation as a wartime president, reinforced by the tides of patriotic ardor. It was unlikely that history would repeat itself.

With his selective service bill running into difficulties, Wilson summoned Dent to the White House on April 9. The President argued that the safety of the nation demanded a policy of conscription. Dent replied that a volunteer system could raise the required number of men, and that it was unlikely that his committee or the House would pass selective service.¹⁸ Although Dent later sought to minimize his differences with the President as simply a debate on the means to be used, the nation was awakening to the fact that all was not well in Washington. The press rallied to the side of Wilson, and even the *Montgomery Advertiser* was moved to observe that "this is no time for worn-out formulas" ¹⁹

On April 11, Wilson met with Champ Clark, Speaker of the House, and Claude Kitchin, Democratic majority leader, for further discussion of the draft issue. Clark and Kitchin, both of whom shared Dent's repugnance to conscription, reiterated that there was strong opposition in the House, and counseled that volunteering should be tried first.²⁰ On the following day, as if in answer to the suggestion, Secretary Baker announced that he stood "firmly and unalterably" in support of selective service.²¹ On April 17, Dent made a final effort to heal the growing rift. Once again he emphasized to Wilson the strength of House opposition and the possibilities of a compromise. But when Dent left the White House, the President called in the Republican leaders of the House for consultation. As a result, the ranking Republican on the House military affairs committee, Julius Kahn of California, became the administration's spokesman for the selective service bill.²² The Democratic

¹⁸New York Times, April 10, 1917.

¹⁹*Ibid.*; Birmingham Age-Herald, April 10, 1917; Montgomery Advertiser, April 11, 1917.

²⁰Birmingham Age-Herald, April 13, 1917.

²¹*Ibid.*

²²Birmingham News, April 19, 1917.

majority on the committee now opposed their own Democratic president who was represented in the House by the Republicans. It was a singular beginning for a supposedly united effort at war.

Under Dent's leadership the House committee, unswayed by the application of Wilsonian pressure, amended the administration's draft bill. The President was authorized to call for 500,000 volunteers, and an additional 500,000 if required. But at the same time the President was empowered to register all young men nineteen to twenty-five, and if he found that sufficient forces has not been raised by volunteering, he could draft additional increments of 500,000 men.²³ The amendment was adroit, for the Southerners could correctly claim that they had not turned the President down on his draft proposals, and that in fact their plan would bring in men while the mechanics of the draft were still at work in registration. "As a whole," said Dent, "the committee gave the administration everything it asked for."²⁴ But no sophistries could hide the fundamental point of disagreement. The Southerners were determined to avoid conscription; the administration was determined not to allow volunteering and to proceed on the modern "scientific" method of manpower procurement. The core of that modern method was centralization and a subordination of the individual. It decried and denied the free-will response of volunteering, even if volunteering could raise the requisite numbers of men.

On April 23, debate opened in the House on the military bill. While the speeches and questions threw light on individual positions and attitudes, they added nothing to the basic terms of the controversy. But on this same day, Secretary of War Baker was moved to action. The Secretary "took it for granted that the bill . . . would eventually pass," and wired all governors to explain their duties and to request that they begin preparations for registration.²⁵ Colonel Hugh S. Johnson of the War Department, with the cooperation of the Government

²³*Congressional Record*, 65th Cong., Special Sess., 667; *House Reports*, 65th Cong., I, Report 17, 2.

²⁴*Birmingham Age-Herald*, April 23, 1917.

²⁵Frederick Palmer, *Newton D. Baker; America at War*, 2 vols. (New York, 1931), I, 207.

Printing Office, had the masses of forms necessary for draft registration printed and packaged in plain wrappers. Baker then mailed out the forms to every mayor and sheriff who would supervise registration. In this fashion the War Department proved its point that drafting would not take longer than volunteering to raise troops.²⁶

While the War Department carried on its clandestine activities, President Wilson again threw his personal influence into the balance. During the second day of debate in the House, Wilson visited the Capitol and turned the screws of pressure on recalcitrant Democrats.²⁷ The effect of the presidential visit was illustrated in the Alabama delegation. While George Huddleston stood firm against conscription, William B. Bankhead, admitting his prior opposition, announced that he now intended to support the President.²⁸ By the third day of debate Dent's forces were dwindling, although the cause received at least dramatic reinforcement as Champ Clark left the Speaker's chair to castigate conscription.²⁹

On April 28, Representative Kahn introduced an amendment to strike the use of volunteering and proceed with the use of selective service. By a vote of 313 to 109 the Kahn amendment was accepted and the proponents of volunteering were defeated.³⁰ With slightly conflicting bills passed by House and Senate, Dent performed yeoman service in gaining acceptance of administration desires. At least temporarily his war with Wilson came to an end.³¹

As the war came to a close, and as the issues of postwar military policy began to be discussed, Dent's continued presence on the military affairs committee remained an obstacle to those desiring the retention of a large army and a program of

²⁶*Ibid.*, I, 212.

²⁷Alex Matthews Arnett, *Claude Kitchin and the Wilson War Policies* (Boston, 1937), 247.

²⁸*Congressional Record*, 65th Cong., Special Sess., 1,092, 1,096.

²⁹*Ibid.*, 1,119-22.

³⁰*Ibid.*, 1,555.

³¹Wilson praised Dent's services in driving the bill to a successful conclusion. *Ibid.*, 2,215.

compulsory military training. Prior to the congressional elections of 1918, the National Security League actively entered politics in an effort to purge Congress of its "un-American" personnel.³² Dent ranked high on the purge list along with the Socialist Victor Berger and Senator Robert LaFollette.³³ On August 22, 1918, the *Boston Transcript* printed a long and bitter editorial entitled "Down with Dent." As that newspaper phrased it, "from the day he went to the head of the committee as a successor of his prototype, Hay of Virginia, Dent has done as much as he dared, and probably more than any other member of the House to prevent the upbuilding of our land forces."³⁴ Then, citing the propaganda handouts of the National Security League, the newspaper reported Dent's "wrong" votes on major issues. He voted for the McLemore Resolution of 1916 denying American citizens the right to travel on the high seas, he voted against the Kahn amendment for selective service, and, in a list of culminating sins, he voted against the declaration of war on Germany. In view of Dent's obstruction "it is the downfall of Dent which is important and which the people have a right to demand."³⁵

While Dent's Alabama constituents were unlikely to be influenced by Boston newspapers, Dent replied to the charges of the *Transcript*. Gaining the floor of the House on September 6, he made a restrained rebuttal to his detractors. "That there can be a difference of opinion," said Dent, "as to the best method of raising an army . . . no honest man can deny."³⁶ But the *Transcript* had blatantly falsified his record. He had voted to table the McLemore Resolution, not to pass it. He had voted for the declaration of war. So much for the political propaganda of the National Security League.

While Dent handily won reelection in 1918, Republican militants won a point as well.³⁷ The new Congress was organized

³²Ward, "National Security League," 61.

³³According to the National Security League, Dent had shown his "absolute unfitness to occupy the position that he held." *Ibid.*, 57.

³⁴The author expresses his appreciation to the Boston Public Library for making this edition available.

³⁵*Boston Transcript*, August 22, 1918.

³⁶*Congressional Record*, 66th Cong., 2nd Sess., 10,087.

³⁷Dent did not face strong opposition in his home district until the election of 1920.

by a Republican majority, and Dent's old foe Julius Kahn became the new chairman of the military affairs committee. While the change assured a more favorable hearing for army proponents, it signally failed to mark the end of Dent's influence on military policy.

In August of 1919 a War Department bill providing for a peacetime army of 500,000 men and a program of universal military training was introduced in the Senate. The bill had been prepared under the strict supervision of General Peyton C. March, Army Chief of Staff, and although its preparation had been rushed and Pershing's headquarters in France not even consulted, it supposedly was based on the lessons of the war.³⁸ The bill was approved by Secretary Baker and by President Wilson. On its introduction the bill aroused the immediate opposition of the National Guard Association, and, predictably, of the "little army" men in House and Senate.³⁹ The House military affairs committee tentatively cut March's 500,000 man army to 250,000, and stalled entirely on the volatile issue of peacetime military training.⁴⁰

The Senate military affairs committee, under the strong leadership of James W. Wadsworth, adopted a committee bill providing for universal military training and readied the measure for Senate debate and action.⁴¹ Once again, as in 1917, military questions split party lines. President Wilson supported the Wadsworth bill, a Republican sponsored measure, although a probable majority of Democrats opposed the bill. But both parties were testing their positions against their fears and hopes for the election of 1920.

In this atmosphere the House Democrats seized the initiative and their action caused a reverberation of shocks in both parties. Planned by Dent and Kitchin, a House Democratic

³⁸Frederick W. Brogdon, "The War Department's Role in the Army Reorganization of 1920" (Unpublished masters thesis, Georgia Southern College, 1968).

³⁹See Derthick, "Militia Lobby."

⁴⁰New York Times, June 12, 1919; *Congressional Record*, 66th Cong., 1st Sess., 8,572.

⁴¹General John McAuley Palmer, *America in Arms; The Experience of the United States with Military Organization* (New Haven, 1941), 168-169.

caucus was called for February 9, 1920.⁴² When the caucus convened both men argued strongly for the party advantage to be gained in repudiating compulsory training, and forcing the Republicans to go before the voters as the party of peacetime conscription. If any member of the caucus initially missed the point that he was being asked to repudiate his own President his eyes were quickly opened. The opposition to the move by Kitchin and Dent was led by Representative Charles P. Caldwell of New York. Caldwell read a letter from Wilson advising the caucus that it would be "unfortunate to make a party issue" on compulsory training, and that such a policy "may have the highest possible advantages."⁴³ The issue was squarely joined, and the answer of the caucus was definitive: by a vote of 106 to 17 a resolution was adopted against compulsory training or service. In the problematical task of opposing presidents Dent had now evened the score.⁴⁴

The action of the Democratic caucus was a decisive blow on military policy. In the House, the Republican steering committee decided to kill the issue of compulsory training by consigning it to further investigation. In the Senate even the redoubtable Wadsworth finally dropped the training provisions from his bill.⁴⁵ The "little army" men had triumphed, their fears of an all-powerful army were banished, the traditional values had been upheld.

But at this moment of victory for the "little army" men, Dent was defeated for reelection. His opponents charged that he had done nothing to protect white soldiers from the indignity and humiliation of having to recognize Negroes as superior officers, that he had allowed sick white soldiers to be bedded near Negroes in hospitals, and that he had been responsible for the appointment of Emmett Scott of Tuskegee as Third Assist-

⁴²New York Times, January 30, February 6, 1920.

⁴³*Ibid.*, February 10, 1920. The complete text of Wilson's letter, dated February 7, 1920, is given here.

⁴⁴*Ibid.*; Washington Post, February 10, 1920.

⁴⁵New York Times, February 11, 1920; *Congressional Record*, 66th Cong., 2nd Sess., 2,837; Palmer, *America in Arms*, 179.

ant Secretary of War. Dent's congressional career was at an end.⁴⁶

Stanley Hubert Dent was a most conservative man. The product of place and position, the beneficiary of favor and influence, he led no battles against the *status quo*, he sought no changes in American structure or process. If he eschewed the racial rantings of some of his Southern colleagues, he did so from the patrician's stance of patronage and tutelage to his inferiors. But in matters of military policy Dent often found himself in alliance with social crusaders, labor unions, and advanced progressives. The motives and ideologies that led these groups to common ground were diverse. Yet all shared a fear of military power either as a coercive agent of growing federal authority, or for its effect and influence on the individual.

In the United States the First World War called forth a degree of central planning and authority never experienced before. It ran roughshod over old relationships and old values; it justified all power and all authority by the necessity for total war. And in so doing it violated the basic premises of the "little army" men, it challenged their fundamental beliefs on the relationship between the individual and his government. For Dent and his colleagues the obligations of citizenship must be freely given if their vigor was to be maintained. When obligation was demanded it lost its vitality. If long pursued, coercion would destroy the free man and his free society, it would lead to the vicious duality of protecting freedom by the methods of dictatorship.⁴⁷ The Southern conservative of 1917 might be appalled by most facets of our contemporary scene, but he would share the mounting apprehension of military power that marks our day.

⁴⁶Dent's major opponent was John Russell Tyson of Montgomery who had sat as chief justice of the Alabama Supreme Court. For the election see *Montgomery Journal*, April 7, 18, 30, 1920; *Mobile Register*, May 15, 1920. Tyson was elected with a plurality of 3,508 votes.

⁴⁷On this point see B. H. Liddell Hart, *Why Don't We Learn From History?* (London, 1944), 25.

JOURNEY TO TEXAS, 1854: THE DIARY OF ROBERT SEABORN JEMISON OF TALLADEGA*

by

Hugh D. Reagan

In the two decades prior to the Civil War Texas acted as a magnet drawing hundreds of settlers from other regions, especially from the south-eastern United States. The independence of Texas in 1836 made it far more attractive to new settlers.

Among those who became interested in Texas in the 1850s was Robert Seaborn Jemison of Talladega, Alabama. Born in Perry County, Alabama, January 15, 1824, he was the second son of Robert Jemison III of Lincoln County, Georgia, and Margaret (Peggy) Mims Jemison of Twiggs County, Georgia. Around 1821, Robert Jemison III moved from Lincoln County, Georgia, and purchased land in Perry County, Alabama, which was formerly a part of the recently acquired Choctaw Territory. When the Creek Territory was opened to settlement, he sold his holdings in Perry County and purchased two Indian villages, Choccolocco and Cheaha, located in present-day Talladega County. He settled in the forks of these creeks and built a spacious home.

It was here that Robert Seaborn Jemison was reared. He was educated under the tutelage of William L. Lewis who lived in the home, and at LaGrange Methodist College near Florence, Alabama, the first college to receive a charter in Alabama.

Robert no doubt inherited the Scotch-Irish love for land and the migratory urge of his father and grandfather. When the newspapers became full of fabulous stories of opportunities to be found in the new state of Texas, he could not resist the temptation to see for himself. Thus Robert, his brother Shadrach (Shack) Mims, Carter Edmunds and David Hamilton Remson, neighbors and boyhood friends decided to make a scouting trip to Texas to look over the land and explore the possibilities of moving there.

*Robert Seaborn Jemison is the great-grandfather of Miss E. Grace Jemison and Mrs. Lucretia Hutton of Talladega, Alabama. This diary is used with their permission.

Robert kept a journal of the trip which provides many interesting comments about the people, the topography, climate, and farming possibilities of the parts of Texas this group traveled through. Though this trip ended unsuccessfully, the migrating spirit still remained. In 1856, Robert and his youngest brother, Albert Sevier went to Texas and took an option on some land and made arrangements to move there. Robert purchased a league of land in Anderson and Navarro counties. Due to bad health as partially revealed in the diary he could not enlist in the Confederate Army. He died in January, 1868, and is buried in a Methodist cemetery in Wadesville, Texas.

Robert left a family of two married daughters, a young son, and two small daughters. His son and his two sons-in-law died a few years after his death. The slaves had been freed and scattered, and the three widows with small children moved back to Talladega to be near relatives, abandoning the farms in Texas. They sold a small farm at great sacrifice but never heard anything further about the other lands.

The journal begins with the departure of the group from Talladega by stagecoach on April 1, 1854:

Myself-Remson-Shack and Carter Edmunds left home for Texas on the 1st day of April 2 oclock p.m. on Powels line of stages for Montgomery. Left Talladega Village 3 oclock as nigh with a coach full of passengers—had quite a pleasant trip to Montgomery except being slightly crowded—had the pleasure of Miss Eva Cowles company as far as Wetumpka Ala which conduced greatly to the amsuement and pleasure of our party—gave her the parting hand on Sunday evening the 2nd *greatly* to our regret and the loss of many tears from ———— arrived in Montgomery 7 o'clock, took a drink and supper met with several old friends & then retired for the night. Arose early much refreshed. Flew Round the city—called on one or two female friends and at 8 oclock on the 3rd Went aboard the steamer Messenger¹ for Mobile—at which Port we landed on Wednesday the 5th had quite a pleasant time—saw ten Ali-

¹The *Messenger* was a fast running, double-engine, passenger steamer which made regular weekly trips between Mobile and Montgomery. Mell A. Frazer *Early History of Steamboats in Alabama*, Alabama Polytechnic Institute Historical Studies, 1907, 30-31.

gators & various curiosities on the Ala River. Remained in Mobile until Thursday the 6th one oclock p.m.—Met a great many acquaintances at our Hotel (Battle House) attended a very poor Theatrical performance on the night of the 5th—Left for Orleans on the Steamer Oregon and after Eighteen hours delightful Run on a calm bay & choice vessel landed at the Crescent—hired a cab and made for the Charles Morgan bound for Galveston Texas—desired much to spend a day or so in Orleans—But found It would be five days before another steamer would leave for Galveston Port—concluded to Part—saw but little of Orleans merely passed through enough however to discover that It was one busy scene—Hacks-Cabs-omnibusses Running in every direction and more people than one could imagine. Voyage across the Gulf Mexico verry pleasant out sight of land for two days & one night. landed In Galveston Saturday night the 8th Inst—left the Steamer Immediately & went up to the Tremont House where we remained until Monday evening 10th. Found Galveston decidely a full town. No. from six to eight thousand Inhabitants. The location is a beautiful one and the most convenient Port on this Gulf The People are kind-communicative and disposed to extend every courtesy to a stranger—attended Episcopal church on Sabbath Morn—Rode out on the Beach in the afternoon—the most glorious sight in the world and no mistakes We left there on the 10th for Houston on the steamer Neptune, a crazy old craft but landed us safe on the morning of the 11th from Whince We took passage on Browns line of oposition stages for Austin on the 12th. That day passed through perhaps the poorest prarie in Texas & made the slowest time—in consequence of bad roads full coach & C. Saw nothing to disturb the monotony of a tedius trip—except an occasional Buck grazing & large droves of cattle—Brown Hens & cat which the boyes took a crack or so.

April 13th Left Brenham the Court of Washington County traveled westward on Browns Pioneer line of coaches through a most delightful beautiful country—Mostly Rolling prarie—watered by limpid creeks abounding with fish. I am writing this seated on a rock on Cedar house branch one of the tributaries of Mill creek. The praries are full of the *fattest sleekest cattle* I ever saw & thousands of Mustang Ponies tamed. And they are one eternal flower garden. The grass about knee high and as

green can be. It is called Labarder Praire.² about four oclock we struck the Poast oak lands of Washington. the prettiest and levellest country I ever saw, but not productive, being rather sandy. The grass is as fine in the praire and cattle are scattered all over it. No one settled in this region except a few herds-men. Late in the evening struck a better prospect in the way of settlements & C. Staid all night with a Mr. McFadden³ who we found clever, the owner of an excellent wife and father of two pretty girls. The old lady gave us good eating & fine butter milk. This is the most accommodating line of coaches I ever saw. Stop for the passengers for short stay & C.

April 14 Here we are on the Banks of the Colorado seated under the shades of a cotton tree. We landed in this place Bastrop—Bastrop County ten minutes ago. We have traveled today through a variety of lands & scenry. This morning for a few hours the lands were Prarie & Rich. The ballance of the time through a broken uninhabited section except by herds of cattle & Deer of the latter we have seen about two hundred. Dave & Carter have shot several times but got no game, of the latter It would be Impossible to compute. Turkey in abundance for a mile or so back the country has been Rocky-growth pine. Now we are just entering the Rich lands of the Colorado & from what we see from this point I presume they are Rich sure enough. Town of Bastrop a Beautiful little place, Population I suppose two thousand. Greatest objection inconvenience to market. Haul cotton to Houston 180 miles at a cost of seven Dollars & 50 cents per Bag.

April 15th Traveled through a good deal of very poor sandy broken country and some that was just good enough. Wherever you find the latter you find a scarcity of water-good water we have not met up with in Texas so far. In some places there is plenty but of very indifferent quality. Landed in Austin the

²This area exists just west of Brenham, Texas. The area is in some manner related to the La Bahia Trail. An 1841 map in the possession of Mrs. Bess H. Habekottle of Brenham, Texas, shows the spelling, "Labiard Road." Today this prairie area is termed, "La Bahia." Letter of Mrs. Bess H. Habekottle, chairman, Washington County Historical Survey Committee, September 20, 1966, to editor.

³Identification of many of the names mentioned in this diary proved impossible. When possible individuals will be identified by footnote. —

capitol of the state 3 oclock this afternoon⁴—have walked Round a little—find It a pleasant thrifty place containg a few fine houses—built chiefly of unburnt Brick & some of stone. The capitol fronts Main street—very much after the style of the Ala State house. Think they must have patterned after Ala—Most of the buildings & fences through the section we have passed are built of cedar. This closes our staging If we can buy Ponies or Horses and God knows I am glad of It. If our poor bones have not been well shaken for the last five days I am mistaken. I hear a lady playing on the Piano the first since leaving home & oh! how Refreshing & astounding.

April 16th Lay over in Austin—Wrote a letter to Eva Cowles in the morning—attended preaching at the Episcopal church—sermon delivered by Rev. Fontaine.⁵ Went up to Capitol Hill in the evening in Company with Frank Thompson⁶—spent the evening verry pleasantly—Ate supper—conversed an hour or so & retired to bed—Slept but little on account of Bed Bugs of which Texas seems to be infested.

April 17th In Austin Still-trying to buy horses. Shack and I have succeeded—Remps & Carter bargained. Horses are scarce & long prices. Rode out in the evening one Mile to where the Soldiers are Stationed pro tempore at Gen. Hameys the prettiest place I ever saw—Herd the Military Band perform. Music fine—play every evening from one hour by Sun until Sun down. On the occasion kindly furnished a horse by Capt. Conner & accompanied by him—Shack Dave Top of Mississippi & others. The United States officers are all in Austin at this time attending Court Marshall. They make quite a display—saw Col May—Rough huge looking.

April 18th Still in Austin—too unwell to travel—Sevear headache & high fever—Lay up all day. Remps & Carter have horses

⁴For a more detailed description of Austin in 1854 see F. L. Olmsted, *A Journey Through Texas* (New York, 1857), 109-15.

⁵This was probably Edward Fontaine who served as rector of the Church of the Epiphany in Austin at this time. Walter P. Webb, ed., *The Handbook of Texas* (Austin, 1952), I, 615.

⁶Probably related to Wells Thompson who migrated to Texas from Marengo County, Alabama, in the early 1840's. Webb, *The Handbook of Texas*, II, 775.

and I guess if Robin⁷ is able to travel, we will be off for San Antonio. This is a dark day nothing of Interest to Note.

April 19 Dolph Wears⁸ 12 miles west of Austin—Man Shac Springs⁹—Stampeded¹⁰—for the night—quite unwell—considerable fever & headache¹¹—unable to go farther. This is truly a delightful place—fine large spring bursting out from a beautiful eminence on which the house is built—beautiful water oak grove in the midst of a large open Prarie covered with Green grass that waves gracefully to the constant Breeze—the wind blows out here all the time except at Night—Whilst our ponies were staked Daves got loose & he had a sweet Rapid ride for five miles. Succeeded Running him down and Lassoing him. This section is all Prarie some poor & and some rich—Much better water than that back of us—badly timbered.

April 20th Remained at Manchac Springs Recruiting¹² until two oclock in the evening—Much improved. Changed our Notion as to direction concluded to go to Lockheart Cladwell county 25 miles East & from there to San Antonio. Struck out head & tale up for that point—got lost in what seemed to us an Interminable prarie could find no Road—finally met up with a Negro boy engaged in herding cattle—paid him 50 cts to show us a Road—After carrying us about Eight Miles we struck a Road which we took—going in a Northerly direction for four Miles found a Road crossing at Right Angels the one we were in—took the end leading in an Easterly direction—traveled until 11 oclock in the night not knowing whether right or wrong—came to a little Ranche the first habitation that had greeted or seen since leaving Manchack. It was truly an Oasis in the Desert—We got consent to decamp for the night. Staked our Ponies for the ballance of the night—Rousted the lady—got supper & laid us down to sleep praying the good Lord our souls

⁷Evidently this is the nickname of the diary's author—Robert S. Jemison. The diary entry for May 2, confirms this.

⁸Dolph Wears (Ware) was a distant cousin of Robert S. Jemison.

⁹Manchaca Spring, on Onion Creek in southern Travis County.

¹⁰"Stampeded" is probably used here to indicate that the party hurriedly made camp for the night.

¹¹Robert suffered for several days with malaria.

¹²"Recruiting" is used here to indicate "recovery" from malaria.

to keep—arose from our Blankets 21st Much Refreshed—ate breakfast donned our saddles—mounted our mustangs and struck a strait shirtail for Lockheart—Where we landed in about one hour It being only three miles—Staid there until late in the evening—looked Round at the fine Springs which are very numerous & the only thing about the place worth noting—They are bold & large, but the water warm & strongly Impregnated with Rotten lime as is all the water through this section. Lockheart is situate in a wooded prairie & at this season is a very pleasant villa. Some good houses & some very inferior—herd there of a neighborhood six miles east composed chiefly of Talladegians—The Gillerlands—Sims—Carpenters—Jim Long & others. Concluded to go on and see them—I and Carter stoped with Black Gillerland. Shack & Dave went over to Carpenters where they now are—We are looking for them—don't know what will be our next move.

April 22 Dave & Shack have joined us. We all agree on having spent a pleasant night with old acquaintances. Stoped with them until after dinner—partook freely of their glorious Repast—enjoyed mightily their Conversation & after many Regrets on both sides took our leave for Lockheart once more—where we arrive sometime before night—Stoped at the Union house—got the best fare & lodging we have had in Texas. On consequence of which Lockheart looks much better & more inviting than as we went on to the Talladega settlement. My health is much improved—In fact I think I may safely note a Recovery—Our friends are living in Rather a poor section (Sandy Poast Oak) at which we expressed Some Surprise—but they say they can make five times as much as they did in Ala the water they use is horrid.

April 23 Left Lockheart enroute for San Antonio—passed through some of the most delightful Country I have seen in Texas. Rich Hog Wallop Prairie—stoped on the banks of the Blanco for dinner—one of the prettiest streams I ever saw in any country—I unharnessed and was meself that bathed my Wearied limbs in Its cooling waters—one mile from the Blanco we crossed the San Marcos River equal in beauty to the former—on Its banks is located the town of San Marcos the County site of Hays Co. from that place our Road Runs along in a South Westerly direction

at the base of the Mountains—on our left is an eternal prairie—Mountains on the Right—Making It one of the Most Romantic Countries I ever saw—The Dutch¹³ are settled every 1/2 mile on the Roads lands productive—Staid at Crawford's all night the filthiest people & place in the World—to look at the landlady—much less eat is enough to make a dog Puke—though none of us did. We are hardened—We ought to be.

April 24th Traveled today a distance of 38 miles—partly through Guadeloupe & Comal counties—Crossing the Guadeloupe River a beautiful stream at New Bransfels and on the San Antonio—where we arrived a little after dark & put up at the Plaza house—the best in the place as we are informed—passed in the vicinity of Bransfels a delightful country—but the whole population is Dutch or chiefly so. Lands are very high—asking from five to 20 dollars per acre. That is the case generally in the Inhabited portions of the State. Attended Old Joe Sweeneys Negro concert to night—highly entertained with the performances—particularly Ol Joes—Not many ladies out but a host of Men—Great Scarcity of timber in these parts—Country pretty—but Monotonous. Water scarce except Rivers & they are some distance a part. More tomorrow.

April 25 Spent the fore noon resting—after dinner hired a Buggy and driver that was acquainted with the Town (San Antonio) and Rode all Round the City—taking in the Range of Ride—the San Pedro Springs one mile and a half from town decidedly a grand Spring and quite large. San Antonio is decidedly a peculiar place taking into consideration the variety of population—queerness of buildings, amusements & C.—Population American-Dutch & Spanish—buildings many of them resembling Indian huts covered with straw—other cottage style & some after the usual order. Many of the most beautiful Residences & grounds I ever saw. In fact as to beauty & pleasantness San Antonio is unsurpassed. The River of Same name heading all Round & Running through the town in a serpentine form adapting itself fully to the wants of the place—a mill being situate thereon—Bath houses & C.—Tonight we—the boys attended Joe Sweneys concert again—after which we hired an

¹³Germans who settled in this part of Texas.

Avalanche¹⁴ 11 oclock & attended in co with J. Brown & Sweney a Mexican Flandango—the Richest thing out in the way of dancing—We pitched in too—and the fun oh Lordy—This is as far as I dare go.

San Antonio

April 26th More & more am I delighted with the novelty this place. This morning Rode out in Company with J. Brown (who formerly drove on the lower end of Powells Rode into Wetumpka) six miles South of town to the old Mexican San Hozie Mission—we spent several hours *most* pleasantly Indeed—viewing and prying into the Ruins of that ancient & one magnificent building—It is truly a great curiosity as well as worthy specimen of ancient architecture the material of which it is built is rock and mortar entire floors, Roof and everything except doors—around the latter is some of the finest sculptor work I ever saw. It is fast going to decay In consequence of neglect though It will stand as a monument for many a long year to come. Several Mexican families live near by & one family occupy a Room in the Mission though they take no sort of care of the buildings or grounds around it. It was built in the year 1781 as I learn from building dates Carved in the Rock. I would advise every one visiting San Antonio not to leave without giving that venerable building a call—It will pay any one well for the trouble—I would also advise anyone desirous of seeing the curious not to come to Texas & leave without visiting San Antonio. The country Round about is delightful Indeed & particularly so above the old Mission—This evening visited the Amamo and stood on the ground where the brave & Gallant Crockett with others lost their lives. Saw old Davies name cut on the wall in the Room where he fell—Said to be done by himself after he was wounded. I felt strange Indeed while standing on that consecrated spot & revolving in my mind the scenes that were enacted then—Confound It how my blood boiled & as quickly cooled leaving a very strange sensation. The Alamo is very much after the order of the Mission. In fact It is one though now used to keep stores & munitions for the United States army. It is on the

¹⁴“Avalanche” a Texas corruption of the French “ambulance,” a spring wagon was already before the Civil War much used in Texas and other frontier territories. Mitford M. Mathews, ed., *A Dictionary of Americanisms on Historical Principles*, (Chicago, 1951), I, 53.

east bend of the River about half mile from the Plaza or Square. This whole country is a chapparell Interspersed with large Pecon trees—a few, very few live oaks & an occasional large Muskeet tree—After leaving the Alamo Rode out four miles to the head of the San Antonio River—talk about your springs but here are some of the finest I ever saw & you know I have seen some good ones—got back to town in the night ate supper & am now writing—am done thank goodness.

April 27th Forgot on last page to note that at the head of the Spring is Gen Worths¹⁵ grave & a few others — near the Alamo are deposited the ashes of Crockett — Gillespie & others of that noble band. I also visited the Prison & saw several Lapan Indians — One of the chiefs his wife and daughter 13 years old — this party were brought in by the soldiers who were out in search of those who committed Recent depredations on the frontier. These are known or believed to be accessory to the crime or to have some knowledge of It — This morning 9 oclock left San Antonio in a South Easterly direction for Seguin — 64 miles distant from San Antonio — We are now nooning It under a hack Berry tree — Dave & Carter sleeping — Shack Whittling & Grumbling at the lameness of his horse — has sent a boy off one mile for a fellow to swap horses with. I predict If they trade Shack will get bit — Country that we have passed over this morning Resembling that in the Immediate vicinity of San Antonio — except a scarcity of Water — This whole country is pretty much alike — Timber powerful scarce & most places Water too.

Rode only five miles this evening in consequence of Shacks horse being too lame to travel faster. Passed over a Rich live oak Prarie mostly hog wallow and came to Mr. Perryman a thrifty farmer on the banks of the Cibola a very pretty Stream. Mr. Perryman has the best corn—prettiest farm—coldest Spring Water & lives more like a white man than anyone I have seen in Texas — he has been offered 15 dollars per acre for his lands. 11 hundred acres. The lands I mentioned above unimproved an worth Mr. P tells me 3 dollars per acre — I don't wish Shack any harm but I am almost tempted to wish that his horse will

¹⁵See Edward S. Wallace, "General William Jenkins Worth and Texas," *Southwestern Historical Quarterly*, LIV (October, 1950), 159-68.

be unable to travel tomorrow. I would like amazingly to lay by a day or so here — lots of fish in the creek & I reckon we have seen one hundred deer to day — this morning Dave took a Crack, this evening Carter, no game.

28th April

Left Mr. Perryman in Guadeloupe County & traveled on to Seguin in County Seat of same county to diner Crossing the Guadeloupe 15 miles below where we crossed It going out to San Antonio. Lands through here are Somewhat a different character on the Road leading direct from Austin to San Antonio having Rather more sand in them & not so much Hog wallow — as to timber & water verry little difference. At this place I am informed there are a good many Springs. But I tell you It is a long time in this country between streams. Whenever there is water they build up little towers — Shacks horse still lame — having his foot examined here & shod — don't know whether we will get off this evening or not — Dave & Carter are sleeping. Shacks horse being too lame to travel. We are spending the evening & night here. I had a light chill this evening—fever & severe headache. Stiff northern been blowing all day—The boyes say this (Seguin) is a pretty little place. Robin too sick to examine.

April 29th Leaving Seguin this Morning 6½ oclock & traveling a North easterly direction to this point—near Prarie Lee. Under a large oake where we are nooning it. Our ponies staked our appetites gratified to some extent & our Blankets spread We design taking a Nap — from Seguin here — Most of the rout is through a poor-high-graveley poast oak country on the San Marcos River one mile back the land is verry Rich & well timbered — from the River on this side We are Merging into an open Prarie—No settlements or Water from Seguin to Prarie Lee a distance of Eighteen Miles. We will get back to Lockheart tonight no accident befalling us. We are compelled to go back there in order to see the Northern Counties that We design visiting — Shacks horse much better though Daves Pony slightly ailing — I feel better to day though my time of day for chill is not at hand quite. Arrived in Lockheart in time for Supper — but being unwell could not enjoy the viands of our tasty land-

lady. The Record this evening from noon layes over a broken prairie the most so of any I have in Texas. We have concluded to go through 30 miles from here Sell our Ponies & buy some sort of a waggon.

April 30th Well to day We landed in Austin again—from Lockheart here It is certainly the Most dreary — desolate — disagreeable — monotonous countries I ever saw — being one everlasting prairie for a few miles after leavin Lockheart. You see an occasional Muskeet tree—Resembling a verry old peach tree—then see neither trees or water until you get to Onion Creek withing six miles of Austin. Onion is a verry pretty little stream winding Its way through that Immense prairie & It has some good land on It — though I presume that the timbered land on It overflowd — the land through that large prairie is generally verry Rich as is most of the lands we have seen — but great goodness What does that avail When you cant get timber to enclose a farm I wish you could see some of the fences in Texas — three feet high & of all the shapes — Many farmers here hall cedar poles from ten to twenty miles at a cost of from ten to twnety dollars a hundred — wherever you find Well timbered lands on the Rivers & Creeks they Rate high this dollar & a half & three dollars per acre land by the time you Improve It costs all of from 15 to 25 dollars per acre. I have had a high fever all day and traveling is verry disagreeable. I thought several times that I would not hold out to get to Austin but here I am — We have concluded to trade our Ponies for a Waggon or sell out & take the stage — that conclusion is what brought us back to this point. It being the most convenient to make such arrangements.

May 1st Have been confined to my Room all day with a hot faver — the boyes have been flying Round trying to affect a trade but have not succeeded yet in doing anything. I am getting willing to start home as are all the crowd — We would like to visit eastern & northern Texas but we have to labor under too many disadvantages.

May 2nd Still quite sick—Called in a Physician (Dr. Litten) who has dosed me pretty heavily to day—thinks I will be well or clear of disease in a few days—Sayes that my system has been

preparing some time for a severe *attack* of fever & is just on the point of developing Itself—how sick I have been today from the Influence of disease & medicine no one can concieve except him who has passed through a similar ordeal. My Dr. is a glorious little fellow—the boyes kind & attentive & Capt. Cleavelands family with whom we board just as accomodating as can be—all of which combined adds no little to my feelings If It fails to alleviate pain—I think Robin will Rise with It yet at least I hope so & I am far from despairing.

May 3rd Flat on my back still—Grunting—Groaning—puking and purging. The Dr sayes my symptoms are favorable for a Recovery—but I tell you little ones—white folks and all Robin feels awfull bad—Indeed he does. My head feels as though a Waggon & team was passing through It constantly & as If it was as brainless as a *Soft Gourd*—but I am taking quinine which accounts for It. If I could only hear from my *dear* family—Methinks I could bear up much better under the weight of my afflictions—Not one word have I herd since leaving home—Nor can I promise or flatter myself that I will hear—short of my arrival home. The kindness & patience of Shack & Carter I can never forget or fully repay.

May 4th Not much change to note in the state of my feelings or case. I think I am slightly better — fever giving way & somewhat clearer the Influence of Medicine to day — The Dr is rather letting me rest at least from Strong drugs & of course I feel much easier — though I am powerful on being weak. My little Dr. is skillful & I have every confidence in his bringing me out — he sayes he will & every appearance in my case so far as I can judge proves so. I am comfortably situated & get every attention & delicacy that a sick man could desire — except good water — I use cistern — the best in the place but it fails to satiate my thirst.

May 5th Today thank Goodness I am able to not some Improvement in My case. Dr. Litten sayes I am decidedly better—I can sit up rite smart but oh! how weak. If I could quit thinking so much about my family — home and friends I think my recovery would be more Speedy — but that is impossible. My Room joins the Parlor & the young ladies play frequently on the Piano at

my Request — which to Some extent destroys the Monotony of a Sick Room & chases “dull care away.” The girls are pretty entertaining — In fact catching — play finely on the Piano & Guittar & Sing like Nightengales I call for Lilla Dale every day — God bless the Women, Sick or well they are my gardian angels.

May 6th On Rising ground in the general—every day or so the Dr. gives me a dose of drugs that pops me pretty heavily—but after the affects are over I always feel better—All I desire now is just to gain strength sufficient to start home and be blest with a continuence sufficient to enable me to Reach that *Glorious* port. The boyes are as patient as lambs & as kind as heart can desire all of Which tends greatly to my Recovery and Increases the Weight of obligations which is already heavy—Remps is low down—calls in but seldom & payes but little attention to me—he is thoroughly home sick & I wish he was there. Carter sold his horse at Auction—loss 20 dollars.

May 7th Don't feel altogether so well today but presume my feelings are merely temporary — the Dr says It is more the state of my mind than disease. Remps could stand it no longer & left us today for home all alone — joy go with him & good luck attend him. Coming over the Gulf he is the boy what called the crowd around him & made the following proposition “We are liable to take sick — no telling which first & I want the crowd not one member to forsake in any case No matter what comes, If we are detained six months with a sick member. We started together & If we are spared our lives Will return together” Where is Dave his promises and propositions? I have met many such in my short career, I love to find them out.

May 8th Felt somewhat stronger today—have set up & crept round the Room a little—I am not able Really to walk at all but—my desire to get well & off home armes me with Supernatural strength. I fear however my *great* eagerness on the subject will cause Me to overdo the mark. The boyes keep in fine spirits and that bowies me up no little—their daily employment is waiting on me—bringing me cystern water & C. Their chief amusement playing Back Gammon over which they laugh & make as merry as though were at home and every thing Right—We have

a host of Strangers coming in every day from the States though It has been our fortune to meet up with but few acquaintances. Top is here doing nothing as yet visits me every day & Whiles away a few hours—he is anxious to leave but I think is low in funds—he is a first Rate fellow.

May 9th Gradually & slowly Improving. Dr. Litten thinks I will be well enough to start by the 13th So as to Reach Galveston on the 17th and take a Steamer that leaves that port on that date for Orleans. God grant I say I shall never feel more thankful for anything I know — as the time approaches how anxious I grow — become more & more Impatient every moment. I have counted again & again every place the papering is torn or soiled in my Room — the brick Round the fire place — the Moulding on the Mantel — the Nails Round the Wall — the turns on my bed stead posts — no of vials, Bottles — In fact every thing in the Room — Court is in Session in town — the Court house about fifty yeards from my window & I amuse Myself at the hoarseness of the Sheriff bawling & Squalling for Witnesses & Jurors — their Running & C.

May 10th Still crawling up hill though It seems to be verry slowly — Shack procured a Buggy this morning & gave me a small Ride which Revived me much. I am walking about the house a little — have been in the Parlor & had a musical entertainment from the young ladies of the house & Miss Lucy Bolton to whom I had a knocking down — she is pretty affable and possesses all the traits that enoble & adorn the female character — She lives one mile and a half south of Austin—moved from Missouri. I shall not forget Miss Lucy Soon. I am certain I made a favorable Impression as I learn from My Dr who has a patient at her house that she enquires particularly after me every day. It does me lots of good — once more God bless the Women.

May 11th Dr Litten rode me out in his Buggy this morning showing me many beautiful Residences & building situations in the vicinity of Austin & out to Shoal creek one mile $1\frac{1}{2}$ north of town where I saw the sublime and awful in the Way of precinices & deep yawning Gulfs. I have never Witnessed such Bluffs on so small a stream & in such a level Country — on the banks of

the little Stream we gathered quite a variety of choice & Rare flowers — of which I made a beautiful Boquet & have It in my Room at this time—the Ride helped me very much. In the evening I & Shack took a Ride but we went Rather too far & I was some what fatigued. Tonight the Dr gave me pills & tomorrow I expect not to feel so well — at least during their action.

May 12th Shure enough as I predicted I have felt badly all day—but I think I am done With drugs for the present at least. This has been a gloomy—cloudy day—consequently I have kept My Room closely. It is near Sun down and old Sol is *blushingly* showing his Smiling face. Shack has not sold his horse but thinks of offering him tomorrow at Auction. Tomorrow night is the time set apart for our starting. But I fear we will have to Wait a day or so longer—I am almost afraid to undertake—
anxious as I am to get home.

May 13th feel much better & think am Improving Rapidly. This was the day set apart for our departure home — but the Dr thinks I have hardly strength sufficient to stand the fatigue Incident to stage Riding. So we have concluded to wait until Tuesday Morning — how slow time passes — every minute is as an hour — every hour — a day — but be patient Robin. This evening by the kind Invitation of Gen Hamilton¹⁶ who sent in his carriage Carter & I have gone out to his Residence to Remain until time of starting. Shack would not accompanie us — the Gen has an exceeding pleasant & Romantic Residence two miles east of Austin & lives at home I asssure you. Mrs. H. is a lovely little Woman. She takes great pleasure in alleviating the wants of the afflicted — I have Improved at least 100 per cent out here already — the mere Idea of being in the country & getting Butter Milk & clabber & attentions of a kind lady is salutary.

May 14th Have spent this day pleasantly Indeed. My health is Improving Rapidly—under the Supervision & care of Mrs. Hamilton one could but be hastily Restored. Oh! but she is

¹⁶Andrew Jackson Hamilton was born in Huntsville, Alabama in 1815, and was admitted to the bar in Talladega, Alabama in 1841. A few years later he went to Texas. Webb, *The Handbook of Texas*, I, 759.

a charming little Woman. Does every thing to contribute to ones comfort — May her dayes be many & happy & when she closes her mortal Career may her spirit be wafted to the heaven of eternal Repose — the land of Immortality — there to sing anthems of prase for ever to that God who takes care of all such soules God bless her & dear children — In the evening Gen. H. — Carter and myself Rode out into the prarie with a Grey hound & had two delightful chases after the Mule Eared Rabbit of Texas a very large species & more fleet than our foxes — Rarely ever caught.

May 15th Remained out at Gen Hamiltons until late this evening—When Mrs. H. carried me into town in her Carriage—all the fore noon God bless her—She was engaged gathering Specimens of Gravel & Cactus for my wife. If any Woman ever gets to heaven & occupies a lofty seat on the throne at Gods Right hand It will be that *blessed* little woman—at 12 oclock tonight We mounted the Mail coach for Houston—once more thank goodness on the Route home—If I had been well I should certainly have got tite from over joy—No It would not have done to drown Such pure—unsophisticated joy in the Bowl. I feel as though I could go through any sort of fatigue yea anything—the furnace to get home. The prospect cheers boyes for old Talladega and the loved ones at home—here goes—Huza—Huza—Huza for Talladega.

May 16th Stood the jolting of the Stage and Rocking over the Hog Wallow prarie much better than I expected — our Rode Runs in quite a different direction than in going out. We came down the Colorado River a distance of Sixty five miles to Lagrange the county site of Fayette County — the lands are exceedingly Rich & productive & better timbered than any portion of the West through which we have passed there being (as If designed by nature) a Skirt of Well timbered post oak between the praries — beside the timber on the River the two supplying a bountiful supply of timer for farming purposes — the oak lands & poor & unproductive — affording (however) a fine Range. Lagrange is a pleasant thriving little village situate on the banks of the Colorado which stream we have crossed three time today — got to L $\frac{1}{2}$ past six and lay over until 7 oclock the next morning — affording me ample time for

sleep — Rest & C. I think I shall make the trip with but little Inconvenience and no danger to my health

May 17th After leaving Lagrange passed through Rootersville & Round top in Same county — occasionally a good farm but generally uninteresting and I think poor flat and sickly country — prairie without foundation — of a quick sand nature — 16 miles east of Lagrange in the last described county came to our friend Seth Randals — he is well satisfied & says this country is productive and healthy but I would not believe the assertion from a Saint—have stood It finely all day and Reached Washington in Washington Co at six oclock this evening — a beautiful town on the Brazos River & of course in a Rich Country — I forgot to mention that we dined at Independence in Washington Co the Residence of Sam Houston & seat of learning for that portion of Texas — two full Schools one male & one female each numbering over one Hundred pupils — great attention is paid to education in Texas generally which surprises me no little the population being so Rough.

May 18th Left Washington 12 oclock last night “Anew our journey to persue” with a crowded stage—to this place only our crowd aboard which Rendered It quite pleasant. Our accessions are principally from Ala a jolly set of fellows If I mistake not their looks—Dr Wilson of Mont and Pierce his Brother in Law of Autauga—They are proud to join our party & the feeling I think Reciprocal on our parts though It crowds the Monkie a little for ½ a night & one day—Reached Houston a little after dark somewhat *fatigued*—but after a Small drink of Ice & Brandy feel quite well—Another Alabamian joins us here Pinkard Esqr of Tuskegee who married Miss Cumages of Masonic Institute Memories. Stopped at Houston House—Will leave on the Neptune tomorrow 5 oclock p.m. a cheerful adieu to Texas staging.

May 19th Bellowed up to Galveston 1 oclock on the morning of the 20th after a terrible puffing & blowing for the last eight hours. Remained aboard until daylight & awoke to gaze upon the beautiful town of Galveston wrapt in Slumber. It is Indeed a *lovely* place look at It as you will—this & San Antonio are the places of Texas. If I were a young man nothing could keep me from one or the other of these places—the Inducements are

Indeed great & the Incentives to perseverance meet such a handsome Reward—I will state that the scenery on Buffalo Bio is delightful—Magnolio in abundance and In full bloom as fragrant as fragrant can be—San Jacinto Battle ground is on this Bio & in full view of the Boats Run—We passed It in the night going out consequently no notice taken of It—It is a picturesque spot.

May 20th In companie with our Ala friends hired a hack & Rode some ten miles on the Beach — they were perfectly carried away — We find them as predicted all sorts of clever jolly fellows — We gathered shells told a dozs of Anecdotes & Returned to the City — the atmosphere on our Rode laden with the perfume of flowers — the Island seems peculiarly adapted to the Culture of Shrubery of every kind — I have never seen anything so Rich & oderferous — the Beach I described before — unnecessary to Reiterate — Called on Several old acquaintance & others formed Whilst here In April. The Steamer Louisiana due for Orleans 3 on tomorrow evening — then here goes again.

May 21th The greater portion of this day have I spent at my Window (In third story of Tremont house) which commands a fine view of the Lake & Gulf Watching anxiously for the Steamer Louisiana the vessel we design taking passage on & which was due at this port this morning 8 oclock but from some cause failed to reach here until $\frac{1}{2}$ past six this after Noon which throws us back one day — Hard indeed seems the fate which thus delays our onward & homeward course but perhaps It is a providential Interference designed to Result in our favor. I have no disposition to complain at or Controll that power so Superior & which alike governs us all & this has been a warm Sultry day In consequence of which I feel Rather languid and Indisposed — It seems to me that ten thousand church bells are Ringing tonight It being Sabbath. Bells are always an annoyance to me all denominations Reign here & the Bells all Ring at once — A part of the church service that Really I see no religion in & which in some extent could be dispensed with.

May 22th This morning at Eleven oclock our Steamer Louisiana cleared Galveston port & put to sea. In about two hours most of the crew — All the ladies with one or two exceptions commenced casting up accounts & such another heaving, puking & setting

to generally I never Saw — Many of the gentlemen appealed to their Brandy flasks as an antidote but no go. The Ala crowd six in no have all escaped so far. Mrs. Cox formerly of Ala now of Miss placed under my charge to New Orleans has been sick from the word go — She says “Nigh unto death.” I sent this evening to enquire after her & sent me word to come & write her will. We are “Bounding over the billows” at a brave gait — Weather fine wind favorable & home ahead. Rip Rave Old Boat & heavens “Ahoy!”

May 23th No accident has befallen us at yet—our crowd all Rite side up & in high Glee. As to Sea Sickness we may count ourselves pretty Safe being near the mouth of Miss River 12 hours Run of Orleans—Huza for old Ala. Let me see how does the song go “A life on the ocean wave a home on the Rooling deep” But I do not subscribe to those sentiments. Give me a quiet home In some secluded spot—away from the din and bustle of the world—a *nice little wife & four interesting children* such as I have & then Say what you will—that is the life for Robin. All I ask now is to be borne on the Wings of a Gull or Telegraphic Speed to their bosoms—We have a full score of children aboard in fact a mixed crew & crowded to Inconvenience—More Anon—

May 24th Arrived in New Orleans this morning 8 oclock to the great joy of the whole crew. No mistake but we had a Rough passage not only as Respected the Gulf but the “dad burned” old Boat had about 2 hundred head of cattle — a thing the passengers new nothing of until we had got out into the Gulf—or many would not have come—the stench was enough to sicken a monkey or Pole Cat. The last night out the Boat Rocked mightily I & thought once or twice Robin would have to give in and puke too. But no I toughed it out as did Carter & Shack & the other Ala Boyes. A vessel pitching over the waves reminded me more of a tall lady walking over Potatoe Ridges than anything I can think of at present — spent the fore noon with my brother-in-law Dowsing in looking at the Crescent — don’t fancy the Citty too much crowded & Filthy — at two dined at St. Charles & at half past 2 took the cars for Florida a lake steamer bound for Mobile — got aboard — procured fine State Rooms & at 4 were off. The Florida is the finest Boat I ever Saw & We are having a pleasant passage — Lake traveling is delightful — The travel at this Season is Immense.

JOSEPH G. BALDWIN'S "STOCKING A LAUGH"—
A HITHERTO UNCOLLECTED "FLUSH TIMES" SKETCH

by

L. Moody Simms, Jr.

In 1836, Joseph G. Baldwin (1815-1864) set out on horseback from his home near Winchester, Virginia, to make a career for himself as a lawyer in the Old Southwest.¹ He was attracted to that particular part of the frontier by "magnificent accounts" of "fussing, quarrelling, murdering, violation of contracts, and the whole catalogue of *crimen falsi*—in fine, of a flush tide of litigation in all of its departments, civil and criminal." Lacking a formal education, Baldwin had prepared for the law by reading Blackstone's *Commentaries* with an uncle. Following his arrival in the Southwest, he practiced law first in DeKalb, Mississippi, and later in Gainesville, Livingston, and Mobile in Alabama. In 1844, he became a member of the Alabama legislature, but he was defeated in 1849 as a Whig candidate for the House of Representatives. Before he moved on to California in 1854, Baldwin was for some eighteen years a familiar figure, both as lawyer and politician, throughout the Old Southwest.

While riding the legal circuits of Alabama and Mississippi, Baldwin frequently recorded his impressions of the unusual men

¹Biographical and critical materials dealing with Baldwin can be found in H. H. Bancroft, *History of California* (San Francisco, 1890), VII, 221-22, 233-34; T. B. Wetmore, "Joseph G. Baldwin," *Alabama Historical Society Transactions*, II (1897-1898), 67-73; S. A. Link, *Pioneers of Southern Literature* (Nashville, 1899, 1900), II, 486-504; George F. Mellen, "Joseph G. Baldwin and the 'Flush Times'," *Sewanee Review*, IX (April, 1901), 171-84; W. P. Trent, *Southern Writers* (New York, 1905), 266-67; George F. Mellen's sketch of Baldwin in *A Library of Southern Literature*, ed. Edwin A. Alderman et al. (Atlanta, 1908-1923), I, 175-81; William Braswell, "An Unpublished California Letter of Joseph Glover Baldwin," *American Literature*, II (November, 1930), 292-94; H. D. Farish, "An Overlooked Personality in Southern Life," *North Carolina Historical Review*, XII (October, 1935), 341-53; J. H. Nelson's sketch in *Dictionary of American Biography*, ed. Allen Johnson and Dumas Malone (New York, 1928-1944), I, 538-39; Eugene Current-Garcia, "Joseph Glover Baldwin: Humorist or Moralist?" *Alabama Review*, V (April, 1952), 122-41; Jay B. Hubbell, *The South in American Literature, 1607-1900* (Durham, N. C., 1954), 675-78.

²Joseph G. Baldwin, *The Flush Times of Alabama and Mississippi* (Americus, Ga., 1908 reissue), 47.

and scenes he observed in court rooms, offices, and taverns. Out of his experiences emerged his best-known book, a collection of humorous sketches—partly autobiographical, partly fictional—entitled *The Flush Times of Alabama and Mississippi* (New York, 1853).³ The purpose behind these sketches, Baldwin observed, was “to illustrate the periods, the characters, and the phases of society” in the Old Southwest.⁴ Baldwin thus considered himself an amateur social historian. Consequently, not only are all of the sketches in *Flush Times* brilliant in their descriptions of humorous situations, they are also frank in their exposure of shams and follies and faithful in their study of character. Uproariously received, they were among the first sketches of American life to depict frontier folk as they actually were and to poke fun at American speech and manners in a way at once sardonic and good natured.

Deservedly described by literary critics and commentators as a minor classic of American literature, *The Flush Times of Alabama and Mississippi* is comprised of twenty-six sketches. Seventeen of these pieces had first been published in the *Southern Literary Messenger* during a period between July, 1852, and September, 1853. The other nine sketches in *Flush Times* had not appeared previously in the pages of *SLM*; it is probable, however, that they had been published in an Alabama newspaper prior to October, 1853.⁵ *Flush Times* went to press immediately after Baldwin's pieces for the September, 1853, issue of *SLM* were available. Up until the book's publication, he had contributed eighteen “Flush Times”—type sketches to *SLM*. Yet interestingly enough, as noted above, he chose to collect only seventeen of these sketches.

The uncollected piece is “Stocking a Laugh” which appeared

³Twenty thousand copies are said to have been sold during the six months following publication. The book was reissued many times; but the reissues were only new printings, not new editions. See J. F. McDermott, “Baldwin's ‘Flush Times of Alabama and Mississippi’—A Bibliographical Note,” *Papers of the Bibliographical Society of America*, XLV (3rd quarter, 1951), 251-56.

In 1855, Baldwin published *Party Leaders*, comprised of serious studies of Thomas Jefferson, Alexander Hamilton, Andrew Jackson, Henry Clay, and John Randolph. This work attracted much less attention compared to *Flush Times*.

⁴Quoted in Thomas Daniel Young et. al., *The Literature of the South* (rev. ed., New York, 1968), 394.

⁵See McDermott, “Baldwin's ‘Flush Times of Alabama and Mississippi’—A Bibliographical Note,” 255

in the January, 1853, issue of *SLM*. Subtitled "The Bench and Bar" and set during the 1840's, it recounts the efforts of a group of lawyers to suppress another lawyer, one Ransed Malony, a master of the art of quibbling and a specialist in long-winded and repetitious "demurrers as applied to a count on a promissory note."⁹ Baldwin's reasons for not reprinting this sketch in *Flush Times* are unclear. True, "Stocking a Laugh" has a good build-up but no real development—e.g., Ransed's legal maneuverings are effectively handled, but the taking down of Ransed by Jonathan Joy is merely reported—yet similar flaws exist in a number of reprinted pieces. And compared with those sketches which were collected, it certainly does not contain an excessive amount of legal jargon which might confuse the reader or obscure the story's humor.

On the contrary, "Stocking a Laugh" is fresh, highly readable, and the equal of many of the sketches that Baldwin included in *Flush Times*. It would seem useful, then, to students of the humorous literature of the Old Southwest to have the sketch in print again. The text below is based on that which appears in the *Southern Literary Messenger*, XIX (January, 1853), 10-12.

⁹[Joseph G. Baldwin], "Stocking a Laugh," *Southern Literary Messenger*, XIX (January, 1853), 10. A demurrer is a pleading that admits the facts as stated in the declaration to which it replies, but denies that these facts are sufficient to constitute a good cause of action (or defense) in law.

SKETCHES OF THE FLUSH TIMES OF ALABAMA AND MISSISSIPPI

THE BENCH AND BAR

STOCKING A LAUGH.

After a while the practice of quibbling and taking small points began to grow out of fashion. It was found to be unprofitable. Nobody made any thing by it, and it was exceedingly troublesome to the lawyers, for which trouble they got no pay; and it took up the time of the Court to no purpose, and frequently to the postponement of important business. So some of us thought of trying a plan to put it down.

At the Fall session, 184-, of K. Circuit Court—Judge A. presided. To save time, he appointed night sessions to hear motions, demurrers, and such business as the Judge despatched without jury or examination of witnesses. Many lawyers were in attendance, the docket being much crowded. Among them was Ransed Malony. Now Ransed was a swift man in the dilatory line. His eyes were fashioned on the microscope plan; and like Jeffrey—Byron being witness—"all that law as yet had taught him was to find a flaw," though he had been sucking at one of the hind teats of the law for some quarter of a century. Ransed lived in the adjoining circuit, where his natural aptitude for small points had been sharpened against Jos. H's steel. Like William of Deloraine, the Scotch *collecting* attorney—vide Scott's Reports—who did a brisk business on the Southern border—Ransed

"Harried the men on hill and dale,
And drove the beeves of Lauderdale."

If Ransed did profess to know any thing, it was the laws pertaining to special demurrers as applied to a count on a promissory note. His learning on that interesting head was, as *he* had it, "*intricit*." Few men had read Chitty's, Saunders' and Gould's precedent so often: he knew to a gnat's heel what the form was, from the title of the Court to the signature of the attorney. You couldn't begin to fool Ransed with any thing short

of a full complement of what the form assured him he was entitled to in the way of declaration: the main difficulty that sometimes foiled Ransed's discrimination, even when at its keenest edge, was to know what parts of the form might be omitted without leaving the plaint fatally defective: and great were the exercises of Ransed's intellect upon this distressing topic. I am afraid 'Squire Malony's temper suffered some abatement of its equanimity by these repeated mental agitations. He was not a sweet-tempered man. He was subject to fits of strong excitement, especially in the heat naturally inspired by an argument upon a special demurrer, inflaming a warm imagination or fervid passions. The excitement sometimes became almost too much for his nervous system; and under the inspiration of his argumentation, his hand became so tremulous as to render him unable to read the special causes of demurrer, at least with that facility and fluency which are essential to beauty and brilliancy of delivery in such compositions. I cannot say that, on the whole, Ransed was an interesting speaker. His discourse, it is true, flowed through some of those "*Salinas* or salt-pits," of which Lord Bacon speaks: hence probably its dryness to the auditors. But then he used to cultivate an axiomatic style, which was too severe, in the great clots and dabs of wisdom he threw out, for the assimilating powers of his hearers; forcing them to think, with the critic who read the dictionary, that the matter was very good, but the subject was changed too often. His want of variety was supplied by a very alert turn for repetition, which was exercised frequently after he professed to pass on to another head or point of discourse; as the countryman, after changing his plate at the town tavern, called for *more* bacon and greens. His style of logic was peculiar [*sic*] and original: sometimes when pressed in the argument, he would prove the minor proposition by assuming the truth of the major; than which, if the opponent did not challenge his premises, nothing could be better despatched—or more unnecessary. The difficulty with 'Squire Ransed was to know when he was through with his speech: but surely he cannot be blamed for this; seeing that, about concluding time, he could not see any particular reason why he had spoken so much, it is not to be wondered at that he could see the same reason for saying more. Even after he had taken his seat he was in the habit of rising to make supplementary and amended arguments; but it is only fair to say that the opposite counsel

had no right to complain of such emendations, as they were repetitions of what he had better said before.

It was found out that Malony was defending, among other matters, one of Jonathan Joy's cases; and had, as usual, put in a demurrer to the declaration: the matter of the demurrer was to be tried that night at the judge's room. This was a first rate opportunity for putting into execution the scheme of laughing quibbles out of court and countenance. The whole bar, and several other persons, numbering some forty or fifty in all, were present. H. G. and I went around among the brethren of the better sort and concerted with them the scheme: this was that whenever Joy said any thing intended for fun or ridicule, all should applaud in chorus, and the more the better. We went to Joy, and, representing to him the necessity of putting down this quibbling propensity, got him to do his best to give Ransed a benefit. He very readily consented: for, besides that he did the largest business in the collecting line in that region, his sturdy sense and his elevated character concurred to inspire disgust at the pettifogging practices in vogue. He was the very man for the purpose. He had a strong sense of ridicule, a racy and unique manner, and a coolness and deliberation which enabled him to carry a purpose of this sort through, while his experience and weight of character and position in and outside of the bar, gave effect to all he said. After the despatch of some other business, *the* case was called. Ransed opened the matters of demurrer. They were some ten or twelve. The declaration was on a promissory note. 1. Cause of demurrer—"that the said declaration is not entitled of any term of this court—which is error." (It was entitled "Fall term.") *Argument*: "it was entitled *Fall* term; but there is no such term—the term is the *November* term." 2. "The declaration does not show in what *year* the same is entitled—which is error"—(the declaration stated "1840.") *Argument*: "1840 does not show the year—it only shows a number; and a number of one thing as well as another: it may mean 1840 bushels of corn." (Here H. G., the leader of the orchestra, exploded, and the rest followed suit.) 3. "The said declaration does not show any party complaining—which is error. It says, it is true, 'the said pl'ff complains; but pl'ff does not mean plaintiff.'" (Here there was another explosion, and Ransed asked protection of the court.) 4. "The said declaration commences with a 'Whereas,' instead of a 'For that,'—which is error." (Here

we all broke out again; but Ransed, to appease the crowd, interposed—"I waive that.") 5. "There is no *super se assumpsit*—which is error." *Argument*: "It is true that the later books say that there is no necessity for this when a promise is averred; but these are overruled by the *elder* cases which all require it, and the precedent before me, (Chitty's,) has it in it." *Per curiam*—"Is there not a note of the editor saying it is not necessary?" *Ransed*—"Y-e-s, your honor, but the form has it plain, and the note, I insist, is a mere *obiter dictum* of the author, and not authority." (Here a laugh broke out, which the court had to interpose to stop.) 6. "Because the said declaration does not show that the plaintiff has sustained any damage by the breach—which is error." *Argument*: "The declaration uses the words, and refers to 'pl'ff and def't,' and, in conclusion, says the defendant 'has not paid the said note to pl'ff to *his* damage.' &c. Whose damage? It does not appear but that it was to the defendant's own damage; and if the defendant himself was damnified by his not paying his note, the plaintiff has no right to sue—that's clear '*damnum squee juryah*.'" (This idea being particularly brilliant, was greeted with a round of applause.) 7. "The said declaration shows no breach—which is error." *Argument*: "This point *depends* on the *ground* taken last—*his* damage: *Who's his*? Therefore, I insist the declaration shows no breach." A shrill voice whispered, "The declaration can't say the same of you, Ransed," which caused such a laugh that Malony sat down grumbling out something about *satisfaction*.

Brother Jonathan rose to reply. Never had speaker such an audience. There could be no such thing as fail. Even if he had not said a word, but had merely gone through the motions, this would have done. Such an air of preparation — such visible expectation — shifting of seats — clearing of throats — adjusting themselves in easy positions for enjoying the discourse: while H. G.'s countenance, sharp as a steel trap, and as full of fun as a farce, beamed encouragement on the speaker "to cry aloud and spare not." Ransed's seat began to be uncomfortable to him, and well it might, for there were ominous tokens of something coming which he had not contracted for. Jonathan was not long in paying his respects to him. You would have thought you were in a hatter's shop from the way the fur flew. For one hour and a quarter, by the watch, he baited him. In vain Ransed squirmed and fidgetted and rose to explain or deny;

every time he rose we laughed him down; and every rising afforded fresh provocation and fresh materials for further assailment. He was only audible once when, on coming to the 4th cause of demurrer, Joy wished to know why it was set down if [it] was to be withdrawn as soon as read, Ransed said something in apology about its being inserted "in the heat of composition," and the leader of the orchestra giving the sign, the very rafters rung with the fun. After that there was no more interruption. He became the picture of unresisting imbecility and dogged submission. But though Ransed had struck his flag, the firing did not cease. Jonathan intended to sink his ship. He kept up a continual cannonade, relieved only by volleys of musketry. We roared—we stamped—we clapped our hands—we threw ourselves back—we slapped each other on the shoulders—we would pretend to hold in for respect to Ransed, but, catching his eye, even in the serious parts of Joy's epic and didactic essay—for it was hardly a legal argument—we would burst out as if restraint were impossible under such circumstances of mirthful provocation. At length, when Joy concluded with a reference to Mrs. Admiral Hardcastle's disappointment, as chronicled in one of Smollett's novels,—and made a not very remote application of this incident to Malony, we broke up the convocation in a hurrah.

Whether Ransed replied or not, I do not remember. But he wasn't in court next morning; and when *the* case was called, I observed that Jonathan took judgment without further defence or let. This was about the last I ever saw of Ransed in that court; and from that time special demurrers got below par.

Ransed never liked Jonathan after that night: at least I judge so from hearing that he spoke of that yankee fellow, Joy, as the most overrated man he ever knew, and certainly the most uninteresting speaker. He said he once listened to him arguing a demurrer for an hour and a half, and really it was distressing to hear him.

Route of Colonel Benjamin Hawkins' trip from New York to Coweta Tallahassee, 1798. Details by the author.

BENJAMIN HAWKINS' TRIP FROM NEW YORK TO COWETA TALLAHASSEE, 1798

by Marion R. Hemperley

This study is an annotation of a trip by Colonel Benjamin Hawkins from the Creek Indian town of New York in present-day Tallapoosa County to the Creek town of Coweta Tallahassee in today's Russell County, Alabama. This trip, made in November, 1798, crossed what was to become in later years east-central Alabama.

Colonel Hawkins was appointed Principal Indian Agent for all Indians South of the Ohio River by President George Washington in 1796. Hawkins immediately travelled to the heart of the Creek Nation where he established his headquarters at Coweta Tallahassee. In the course of his duties as Indian Agent, he made many trips over the Southeast, keeping a sometime hour by hour diary of his travels. In many cases, Hawkins was the first white man to leave a written record of the area over which he travelled, records that, today, provide one of the most valuable sources of information for students of Indian life. Some of Hawkins' papers and reports have been published as *Collections of the Georgia Historical Society* in their Volumes III and IX. The following journey is taken from Hawkins' Viatory, a Journal of Distances, handwritten by Hawkins and on file in the Library of Congress. The late Indian expert, Dr. John H. Goff, had this book, which is unpublished, microfilmed for his personal use, and just before his untimely death in 1967, presented the film to the Georgia Surveyor General Department, Atlanta, with the rest of his personal papers. A xerox copy, printed from Dr. Goff's microfilm, is on file in that department for reference.

The author has modified Hawkins' original manuscript slightly so that it will be more understandable to the reader. For instance, Colonel Hawkins abbreviated an entry in his Viatory thus: 10 x d c l 10/. This modified into written form means: He travelled for 10 minutes, then crossed a dry creek running to the left, 10 feet wide. Hawkins travelled by horseback and

computed his speed at 3 to 3½ miles per hour, timing himself by the elapsed time from one place to another. The modern historian has to transpose the elapsed time into distance to find his route. Unfortunately Colonel Hawkins did not make the astute observations in his Viatory that he did in some of his other writings. In his "Letters," published by the Georgia Historical Society as their Volume IX in 1916, Hawkins made remarks about the country side and everything and everyone he saw or met. For the interested reader other annotations by the author of Colonel Hawkins' journeys have appeared in the *Georgia Historical Quarterly*, Volume LV (Spring, 1971) and the *Alabama Historical Quarterly*, Volume XXXI (Fall and Winter, 1969).

The trip from New York on the Tallapoosa to Coweta Tallahassee on the Chattahoochee River was only about 60 miles long. But the very fact that this trip was made over one of the lesser known Indian trails of the Southeast, makes it even more interesting. The author, in the footnotes of this annotation, has used the modern names for streams and places mentioned by Hawkins except in the few cases where they are the same today. In the latter case the author has so stated they are the same. The reader should bear in mind that except for the few places named by Hawkins, and others like him, there were no established names of streams or places, as we know them today.

According to Dr. Goff, New York (also written New Yorka, Niuyaka, New Yaucaw, New Yauger, Nuyaka, New Youka, Nuoqauco, Newquacau, etc.) was one of the chief Oakfuskee towns. It was located in what is as present (1955) a large field on the left or south bank of the Tallapoosa, in Sec. 13 and 14 of T 23 N. R 23 E., across from the battle site of Horse Shoe Bend, situated a couple of miles to the south. Hawkins says "New-Yau-caw" was named after New York. (Benjamin Hawkins, "A Sketch of the Creek Country," *Collections of the Georgia Historical Society*, III, 45.) Presumably it received this name after the return of the Creek chiefs from New York, following the treaty there in 1790.

November 25, (1798). The route from New yau cau to Cowetuh taulauhassee. S10E, 13 min. cross the river 360 ft.

running to the right.¹ 20 min. cross a creek running to the right 8 ft. wide.² 10 min. paths divide, I take the right.³ 52 min. cross a branch running to the left. Over high broken pine hills long leaf pine.⁴ 6 min. cross a dry creek running to the left. Reeds.⁵ 4 min. cross branch running to the left. Stony hills.⁶ 19 min. cross a path.⁷ 15 min. cross a branch running to the right. A bed of reeds. Over broken stoney oak land.⁸ 6 min. cross reeds.⁹ 21 min. cross a creek running to the left. Reeds. Here I breakfast amidst flat reedy glades waving red oak saplin land still and good for wheat.¹⁰ 10 min. cross a vein of reed to the left.¹¹ 3 min. cross a dry creek running left in a flat of reed. Post Oak land.¹² 7 min. cross a large path, E20S. Our course S10E. Open red and post oak land.¹³ 3 min. cross a path. Red oak and short leaf pine.¹⁴ 10 min. cross a branch running to the left, 4 ft. wide. Fine running with reeds, the land good red oak land.¹⁵

¹Tallapoosa River. He started his journey from the north side of the stream although the town was said to have been on the south side. In all probability, New York was on both sides of the river, or at least part of it was, as was common with most Indian towns located on streams.

²Eagle Creek was running to his left. Hawkins was in error when he said it was running to the right.

³The path he crossed ran southwest to the Indian town of Tallassee, located in today's southwestern Tallapoosa County near the modern city of the same name, or it may have run to Oakfuskee, a ways north of Tallassee.

⁴Moores Creek northeast of today's Easton. He passed the site of present-day Elder Church and School and continued southeastward.

⁵Unnamed stream.

⁶Unnamed stream northeast of present-day Easton.

⁷He was just east of today's Easton.

⁸One of the tips of North Fork Sandy Creek.

^{9,10}Another prong of North Fork Sandy Creek. The reed was located between the forks of the creeks. The reader will note that Colonel Hawkins mentions reed, or cane, whenever he saw it. In early days, that plant was regarded as a valuable crop for grazing by cattle or horses of travellers. Cane, even in the middle of winter, remains green and edible for animals.

^{11,12}He was near today's Dudleyville.

¹³The large path he crossed was the noted Oakfuskee Trail, one of the largest and best known of the southeastern Indian thoroughfares. It ran westward from Augusta, Georgia, all the way across Georgia and half of Alabama to the Oakfuskee towns on the Tallapoosa River. For a complete description of this old route, see Dr. John H. Goff, *The Path to Oakfuskee, Georgia Historical Quarterly*, Vol. XXXIX, (March and June), 1955.

¹⁴Unnamed local path, probably running from the Indian town of Pinhottee, a village he was near (see footnote No. 17) or it was a connection to the Oakfuskee Path (footnote No. 13).

¹⁵Main branch of North Fork Sandy Creek.

10 min. a path joins on the right. Oakey woods.¹⁶ 7 min. a village, well situated on good lands in the neighborhood of a large creek. Pinchoote.¹⁷ 5 min. Cross a creek running to the right 20 ft. wide. the land good hickory and oak.¹⁸ 10 min. cross a branch running to the right. This a bed of reed. Our course S20W.¹⁹ 7 min. cross a branch running to the right.²⁰ 20 min. cross a path.²¹ 17 min. cross a branch running to the right, 3 ft. wide. Fine reed in oakey woods.²² 6 min. cross a river to the right, 80 ft. wide, over a shoal. Octauhauzauza.²³ 26 min. a vein of reed to the right. Here I encamp Nov 25, 1798. Our course from the village S10W. The lands near the river broken, no flat lands.²⁴ 16 min. cross a path in flat oakey woods.²⁵ 15 min. cross a creek running to the left, 4 ft. wide. Fine water and reed. The lands broken and stoney, red oak and short leaf pine.²⁶ 10 min. some long leaf pine.²⁷ 7 min. cross a path. We take the left E30S. We find from our course of S10W that we must have taken the rong path at the village.²⁸ 14 min. the path forks we take the right.²⁹ 6 min. a house of Tallassee people, well situated on a little creek, the lands good oak and hickory.³⁰ 4 min. cross a creek running to the right 8 ft. wide. After crossing resume the path we left.³¹ 7 min. cross a path from

¹⁶May have been another local path from Pinhotee to the Oakfuskee Trail.

¹⁷Pinhotee was southeast of present-day Dudleyville in extreme eastern Tallapoosa County on a branch of the North Fork Sandy Creek. Colonel Hawkins, in his "A Sketch of the Creek Country," described the town: "Pin-e-hoo-tee; from pin-e-wau (pinwa), a turkey, and e-hoo-tee (huti), house. It is on the right side of a fine little creek, a branch of E-pe-sau-gee. The land is still and rich, and lies well; the timber is red oak and hickory, the branches all have reed, and the land on them, above the settlements, is good black oak, sapling, and hickory. This and the neighboring land is fine for settlement; they have here three or four houses only, some peach trees and hogs, and their fields are fenced. The path from New-yau-cau to Cow-e-tuh-tal-has-see passes by these houses." The last mentioned route, of course, is the way under discussion in this study.

^{18, 20}All branches of North Fork Sandy Creek south of today's Dudleyville.

²¹The path he crossed was probably either a connection to the Oakfuskee Trail or one of the local ways to Pinhotee.

^{22, 23}Branches of the North Fork Sandy Creek just south of Dudleyville. Octauhauzauza means "sand" or "sandy" with an inference of an abundance of it, hence the name "Sandy Creek." There was a Creek Indian town by the name of Oktahasasi (Octauhauzaza) in upper Tallapoosa County not too far away.

²⁴He was near the present-day Tallapoosa-Chambers County line.

²⁵Just west of today's Blackman, Chambers County.

^{26, 27}Either Hunter Creek or County Line Creek, west of present-day Center Church, between Blackman and Judson.

^{28, 31}The area in which he became confused, or lost, is south of today's Blackman and Center Church and west of Antioch Church.

the village.³² Cross a creek running to the right, 10 ft. side. Reeds. Plantations on our right.³³ 34 min. cross a branch running to the right. Reeds.³⁴ 4 min. cross vein of reed on right in a pine barren. Long leaf pine and here I saw the [illegible word] hillocks.³⁵ 5 min. cross a branch running to the right. Reeds³⁶ 6 min. houses on our right, belonging to Eufaulauhatchee. They are well situated, the flats on the creek are rich and well cultivated.³⁷ 5 min. cross Eufaulauhatchee 15 ft. wide, running to the right.³⁸ 24 min. reeds to our left in the midst of a hurricane from southeast. The lands poor hills.³⁹ 20 min a path from our right. Our course N80E.⁴⁰ 36 min. a ball ground flat of oak and hickory.⁴¹ 5 min. the head of a branch running to the right, thick set with reed, lands broken oak and hickory.⁴² 67 min. cross a creek running to the right, 5 ft. wide in a large bed of reed. The lands are broken stiff and stoney, red oak and small hickory, just above the path on the east side there is the appearance of a rich flat of level land. Here I breakfast.⁴³ 14 min. cross a creek running to the right, 20 ft. over stiff land, oak, hickory, and short leaf pine. Luste hatche.⁴⁴ 3 min. paths

³²This was a trail from Tallassee on the Tallapoosa River (located near the modern-day city of the same name) to today's LaFayette area.

³³A branch of Little Sandy Creek just after he had crossed present-day Alabama Highway 50.

^{34, 38}Branches of Little Sandy Creek north of today's Sturkie.

^{37, 38}Little Sandy Creek about today's Sturkie. There were at least five Creek Indian towns by the name of Eufaula in present-day Alabama. The one referred to here was on the Tallapoosa River in Tallapoosa County near the mouth of Sandy Creek. Hence the reason for this branch of Sandy Creek to be known as Eufauuahatchee, or "Eufaula Creek." The settlement mentioned was apparently an out-village of Eufaula. The trail Hawkins was using fell on today's Alabama 37 at Sturkie.

^{39, 41}Between present-day Sturkie and Oak Bowery, close on Alabama 37. The trail mentioned was probably another route to Tallassee.

⁴²A branch of Sandy Creek.

⁴³A tip of one of the branches of Sougahatchee. The name means "rattling" or "rattling gourd stream." A gourd was prepared by the Indians to be used as a musical instrument by placing small stones in it so they would rattle and keep time for dancing or other ceremonies. There was a town named Sougahatchee on that stream in today's western Lee County, west of the area through which Hawkins was travelling.

⁴⁴A branch of Sougahatchee Creek just over in present-day Lee County. Hawkins called this stream Lustahatchee, probably thinking that it ran to the village of that name "above the second cataract of the Tallapoosa River." That location would be in present-day Tallapoosa County about the mouth of Sandy Creek, a location that is now inundated by the waters of Martin Lake. The name Lustahatchee means "black creek."

fork, I take left. The course east⁴⁵ 11 min. cross a dry branch running to the left. There is to the left of the path the appearance of flat low lands on the creek.⁴⁶ 7 min. cross a dry branch running to the left. Reeds. The hill sides small hickory.⁴⁷ 7 min. cross a dry creek running to the left. Fine reed the lands continue stiff and stoney oak and hickory.⁴⁸ 22 min. cross a branch running to the right. Fine reed right and left. Some rock on the west side. Land stiff and stoney red oak and hickory.⁴⁹ 16 min. cross a branch running to the right. Lands of like quality.⁵⁰ 2 min. cross a dry creek running to left.⁵¹ 25 min. cross a path.⁵² 3 min. cross a vein of reed to the right.⁵³ 12 min. cross a branch running to the right. Fine reed and here I encamped, 26 Novt., 1798. The lands pretty good, oak small hickory, chesnut, and pine.⁵⁴ 8 min. cross a creek running to the right on a rocky bed.⁵⁵ 14 min. cross a dry branch running to the right. Fine reed and oak hickory, and pine.⁵⁶ 5 min. cross a dry branch running to the right. Reed.⁵⁷ 28 min. cross a creek running to the right, 20 ft. wide. Rocky bed, oak and hickory, small.⁵⁸ 15 min. A vein of reed just after crossing a ridge of rock, hickory, oak, pine.⁵⁹ 7 min. cross a dry creek running to the right, 8 ft. wide. Reed. Our course E10S.⁶⁰ 14 min. Vein of reed to the left.⁶¹ 19 min. cross vein of reed to the right. Over poor saplin land.⁶² 18 min. cross a branch to the

^{45, 47}The trail crossing was about 1/2 mile northwest of Jefferson and about 1 1/2 miles south of the present Chambers-Lee County line. The dry branches mentioned were prongs of Halawakee Creek. The name means "bad" or "ugly." Hawkins turned from what is shown in the 1832 land surveys of Alabama as the main trail. He was soon to veer to the south toward today's Opelika to make a large loop before intersecting the original (in footnote No. 68) trail.

⁴⁸A tip of Halawakee Creek about today's Mt. Jefferson. Here the trail turned southward toward Opelika, still close on today's Alabama 37.

^{49, 51}Tips of Sougahatchee Creek near present-day East Alabama Junction.

^{52, 53}The path he crossed was just north of today's Opelika and probably ran southwest to the Creek Indian town of Sougahatchee in extreme southwestern Lee County on the stream of the same name.

⁵⁴A branch of Sougahatchee Creek just north of Opelika. The trail ran due south through that modern-day city.

⁵⁵A tip of Sougahatchee Creek near the northern city limits of Opelika.

^{56, 57}Present-day Opelika.

⁵⁸Sougahatchee Creek about the southern limits of Opelika.

⁵⁹Just south of Opelika.

⁶⁰Robinson Creek south of Opelika. The trail began to swing more to the east along here and ran close on the present-day route of the Central of Georgia Railroad.

^{61, 62}Still close on the Central of Georgia Railroad south of Opelika.

right. Fine reed.⁶³ 1 min. cross a dry branch running to the right. The lands good on the east, oak, chesnut.⁶⁴ 7 min. A vein of oakey wood, reed.⁶⁵ 3 min. cross vein of reed to the right.⁶⁶ 8 min. a ridge of poor blackjack. I take this to be the dividing ridge between Chattahoochee and Tallapoosau. Our course continues E10S.⁶⁷ 28 min. cross a path.⁶⁸ 9 min. cross a branch running to the right just below the spring.⁶⁹ 26 min. cross a path. Our course E15S.⁷⁰ 5 min. cross a dry branch running to the left. Broken lands.⁷¹ 10 min. long leaf pine forest.⁷² 8 min. cross a dry branch running to the right. Over a high pine nole.⁷³ 22 min. cross a dry creek running to the right, 8 ft. wide. Good land on the margins.⁷⁴ 6 min. cross a dry branch running to the right. Fine reed.⁷⁵ 4 min. cross a dry branch running to the right.⁷⁶ 2 min. cross a dry branch running to the right.⁷⁷ 15 min. breakfast on a small branch to the right.⁷⁸ 6 min. cross a dry creek running to the right, 6 ft. wide. Reed and rich flats. Some large white oak. Our course E40S.⁷⁹ 4 min. a path joins from the left.⁸⁰ 3 min. a dry creek to the right.⁸¹ 7 min. a dry branch running to the right. The lands to the right a red oak flat.⁸² 15 min. cross a dry branch running to the right, near thick vein of reed on right.⁸³ 4 min. cross a dry branch running to the right. Reed.⁸⁴ 16 min. cross a branch running to the right. Water.⁸⁵ 4 min. cross a creek running to the left, 38 ft. wide. Dry, reed and palmetto.⁸⁶ 14 min. cross

⁶³Probably one of the tips of a branch of Little Uchee Creek just south of today's Chewacla.

^{64, 66}South of present-day Chewacla.

⁶⁷He was about 2 miles east of today's Chewacla, travelling south of and parallel to the Central of Georgia Railroad right of way.

⁶⁸About 2½ miles northwest of present-day Salem. Here he intersected the trail that by-passed today's Opelika and that he left at footnote No. 48. The path continued southeast, close on present-day U. S. 241.

⁶⁹Phelps Creek northwest of Salem, the trail still close on U. S. 241.

⁷⁰This path forked off at today's Salem to run northeast to the present-day Bartletts Ferry Dan on the Chattahoochee River and the Georgia state line.

^{71, 72}Near Salem.

^{73, 77}Branches of Sturkie Creek southeast of Salem.

⁷⁸Probably a branch of Dunken Creek southeast of Salem.

⁷⁹Dunken Creek.

⁸⁰The path he crossed was running close on a modern-day back country road that runs northeast-southwest from Motts to Griffin Mill.

^{81, 84}Branches of Little Uchee Creek.

⁸⁵Peters Creek.

⁸⁶Main stream of Little Uchee Creek.

a creek running to the left, 30 ft. wide, Wetumcau on a rocky bottom.⁸⁷ 4 min. path forks to the right.⁸⁸ 3 min. a path and houses to the right and fields left.⁸⁹ 8 min. Through rich high land to long leaf pine.⁹⁰ 17 min. cross a branch running to the right. Fine Reed.⁹¹ 2 min. cross a dry branch running to the right. Reed and evergreens.⁹² 20 min. old houses to the left. Plumb and peach trees.⁹³ 7 min. cross a creek running to the right. Wetumcau. Land Broken.⁹⁴ 20 min. down it to Wetumcau.⁹⁵ 10 min. cross a creek, dry running to the right, 10 ft. wide. Here encamp 27 Nov, 1798.⁹⁶ 10 min. cross vein of reed.⁹⁷ 29 min. cross a dry creek running to the right, 12 ft. wide. Large flat and cane.⁹⁸ 9 min. cross dry branch running to the right. Holly pine land.⁹⁹ 5 min. cross dry branch running to the right.¹⁰⁰ 11 min. cross dry branch running to the right, 4 ft. wide. Reed.¹⁰¹ 3 min. cross a dry branch running to the right.¹⁰² 11 min. cross vein reed to the right.¹⁰³ 5 min. cross a dry branch running to the right. Evergreens and reed.¹⁰⁴ 30 min. cross a branch running to the right. Fine water, evergreens, and reed.¹⁰⁵ 8 min. cross a dry branch running to the right.¹⁰⁶ 6 min. cross a branch running to the right. Fine reed and some water.¹⁰⁷ 10 min. cross a creek running to the right, 4 ft. wide. Water and evergreens.¹⁰⁸ 25 min. cross a creek running to the right, 4 ft. wide. Land Good.¹⁰⁹ 5 min. Cross a dry branch running to the right.¹¹⁰ 8 min. cross a path from the left.¹¹¹ 5 min. a tuft of

⁸⁷ A branch of Little Uchee Creek.

⁸⁸ The path he crossed ran east and west close on the modern-day road that runs through Hopewell, Griffin Mill, and J. C. Meadows Cross Roads.

^{89, 90} Southwest of today's J. C. Meadows Cross Road in lower Lee County.

^{91, 92} Probably tips of branches of Whites Creek.

⁹³ He was almost to the present-day Russell-Lee County line.

^{94, 95} Hospilika Creek, originally known as Wetumka Creek, near the present-day Russell-Lee County line. There were at least three Creek towns by the name of Wetumka, one of which was located at that point on the trail Hawkins was using. The word means "tumbling water" as rapids or a waterfall.

^{96, 97} Southeast of today's Motts Bridge between Crawford and Ladonia. The trail followed by Hawkins ran on southeastward on the northeast side and parallel to Little Uchee Creek. From the present-day Russell-Lee County line south-eastward to his ultimate destination, Hawkins travelled over a route that is not shown on the original surveys of the area, made in 1832 and the exact route of the trail is a matter of conjecture.

^{98, 100} Probably branches of Jacks Creek.

^{101, 107} Branches of Sevenmile Creek.

¹⁰⁸ Main stream of Sevenmile Creek.

^{109, 110} A branch of Sevenmile Creek.

evergreens to the right. Like pine hills on the left.¹¹² 10 min. a tuft of evergreens on the right near the top of a high ridge.¹¹³ 20 min. cross a creek running to the left, 5 ft. wide at Tallahassee house. Over a very high ridge which I enter and continue and descend to the creek.¹¹⁴

^{111, 112}The path he crossed must have been one of the local ways between two of the numerous Indian towns in the vicinity.

¹¹³Indeed he was travelling on a high ridge. The elevation is approximately 180 feet above the plain he was about to enter.

¹¹⁴Broken Arrow Creek. Coweta Tallahassee was just east of today's Flourney, Russell County. Colonel Hawkins, in his Creek Country, gives a good description of the town: "The town is half a mile from the river [Chattahoochee], on the right bank of the creek; it is on a high flat, bordered on the east by the flats of the river, and west by high broken hills [over which Hawkins had just passed]; they have but a few settlers in the town; the fields are on a point of land three-quarters of a mile below the town." It was at Coweta Tallahassee that Colonel Hawkins established his Indian Agency and was his home at the time of this study. There was a newer Coweta just upstream from this one and evidently most of the Indians had moved to the upper place by that time.

Edmund Pendleton Gaines
Description of The Upper Tombigbee River
January, 1808

by
James H. Stone

The following document is the second half of a survey diary kept by Edmund Pendleton Gaines during the winter of 1807-1808. The first portion appeared under the title "Surveying the Gaines Trace, 1807-1808" in the issue of this journal. One should consult the introduction to that article for background material on this study.¹

January 16th 1808. Very cold.

Send Corporal Jacobs and one man with four horses by land to St. Stephen's,² and at a half past 7. ° Clock A.M. depart on board two perogues lashed together, from Cotton-Gin-Port,³ down the Tombigby River. Take the course, as usual, with a Compass, and distance by a watch, having a Second Hand, in minutes and parts of a minute.

Note. Our movement may be estimated at 16 minutes p^r Mile.⁴

[We proceed] Down the river. To lower end [of Cotton Gin] Bluff, right. At a small Willow-Island, nearly covered with water.

(Note. River has risen, in the last four days, about 4 feet above what is deemed low-water-mark)

¹Though Gaines' usage is sometimes incorrect, in no case has his spelling, punctuation, capitalization, etc. been modified. Any additions by the editor are in brackets.

²Gaines had, on January 15, 1808, sent his pack horse party back to Muscle Shoals to pick up the survey party's baggage. They were to proceed overland to St. Stephens. His younger brother George Strother Gaines was Factor at St. Stephens while Gaines himself was Commandant at Fort Stoddert.

³Located in what became Monroe County, Mississippi, Cotton Gin Port developed into a thriving trading town and river port in the first half of the nineteenth century. It became a ghost town in 1887 when its inhabitants moved three miles east in order to reestablish their town as Amory, Mississippi, on the newly constructed Kansas City, Memphis and Birmingham Railroad.

⁴Gaines includes well over 500 distance/course/time notations. As one might expect, his measurements were not entirely accurate. All of them have been omitted from the edited version of this document. No ellipsis marks are included to indicate these particular omissions.

From our Camp on the bluff to this Island, the water is 12 @ 15 foot deep; at Island, 10 foot deep, and for a few chains⁵ the current is stronger than we found it at the bluff. Supposed to be at the rate of 2 3/4 miles pr. Hour. Cane-brake Rt. 10 @ 12 foot deep — gravelly bottom. Cane-brake-low-grounds on both sides the river. To a Bluff on the right. Rich, well timbered land

[At the end of the] 1st M[ile]. Leave the bluff on right.

Low grounds & thick Cane-brake on both sides. Gentle current48 @ 60 yards wide. . . .10 @ 16 foot deep. . . .8 @ 12 foot deep

2^d Mile. . . . to a bluff on the left. The mouth of a small creek on the left

3^d Mile. Rich low grounds on both sides of the River. Thick Cane-brake on all low grounds near the river. The timber in these low grounds consists, principally, of large Oaks, Hickory, Poplar, and Ash; with some Cyprus and Sycamore, and a great variety of vines, principally the Summer & Winter Grape, and the muscadine.

There are, also, among the under-growth, several Evergreens, amongst which are Holly & Mock-Olive

4th Mile. . . . pass a small B[lu]ff L. . . .gentle current. — 7 to 10 foot deep

5 Miles. . . .gentle current. 8 @ 12 foot deep. . . . a small Isle; near a Bluff. R.

6th Mile. Rich low grounds, & thick Cane-brake both sides. . . . River 6 @ 12 foot deep. At mouth of a Branch to the left. A small Willow Isle near left [bank]. . . . river 8 @ 12 f^t deep.

7th M. . . . a small Willow Isle, near the left shore.

8:th M. Rich low grounds — thick cane brake both sides. River 10 @ 16 f^t deep. . . . A handsome bluff on the right.

9th Mile. . . . Rich cane-brake bottom both sides. At mouth of a Branch on the right. . . . a small bluff on the left. At lower end of Bluff on left to low grounds. At a Bluff on the left. At lower end of ditto, a Cane-brake bottom. Steep pine-capt hill on right.

10th Mile. River from 16 @ 20 foot deep — little or no current. At a Bluff & 2^d [rate] bottom land on the left. Bluff & hilly land on the right — TEN-MILE-BLUFF.

11th Mile. Cane-brake to the left. Hilly to the right. At Cane-brake to the right. At high land right and left.

To 12th Mile. At head of a small Island near mid-river. . . . Low grounds R & left. Strong current. — gravelly bottom — 8 @ 12 foot

⁵A chain is normally sixty-six feet. Gaines, however, used a chain thirty-three feet in length, making 160 chains to the mile.

deep. At head of an Island — Narrow low ground . . . gentle current, 10 to 14 ft deep. Low grounds, narrow, right & left. . . . River 8 foot deep. . . . 6 foot deep. . . . River from 8 @ 12 foot deep Strong current. . . . gentle current.

13th Mile At head of an Isle, nearest the right shore. . . . 5 1/4 [feet deep]. At the mouth of a small creek on left. At head of a Willow-Isle near left. . . . a small Bluff to the left.

14th Mile. leave the bluff. — Low grounds right & left. River 6 to 10 foot deep — Strong current. At a Bluff on left. . . . the mouth of a large Branch. At head of a Willow-Isle, near Mid-river. . . . At a small Willow-Isle, near right. . . . Cane-brake low grounds Right & left. . . . Gentle current — 8 @ 12 feet deep

15th Mile . . . a small bluff on right. Cane-brake low grounds right & left. . . . Bluff left; Cane-brake low grounds right. At lower end Bluff left — to Cane-brake bottom. . . . Bluff on right.

16th Mile mouth of a branch to the left. . . . the river forms a Basin to the left, about 80 yards wide, at a bluff on the left. . . . Cane-brake low grounds right. . . . A high bluff on the right. . . . River from 12 @ 16 foot deep — gently current. Yellow Bank River. Low grounds, Cane-brake, right and left. At head of a small Isle near the left. . . . At mouth of a branch on the left.

17th Mile Bluff on the left Rich Cane-brake low grounds on left & right. . . . Bluff right. . . . At head of an Isle near the right shore. . . . Cane-brake right & left.

18th M. . . . mouth of a large creek on right. — Bluff on the left, on which has been, lately, a remarkably violent hurricane which has torn down the timber, & thrown large quantities of trees, down the Bluff, into the River. Cane-brake on right. — Hurricane bluff on left. . . . upper end of a Bluff, right.

19th M. At mouth of a small branch on right. River from 12 to 18 foot deep — gentle silent current. Cane-brake bottom on left. Bluff on right

20th M Bluff left & right. *TWENTY-MILE-BLUFF*. Cane-brake bottom right.

21st M. Low grounds to the right. Upland left. River from 60 to 70 yards wide — 10 @ 12 foot deep, with but little current.

22^d M. At mouth of a branch right. . . . Bluff on right. The growth on this bluff consists, principally, of Pine, with some Oak & Hickory. Most bluffs, or high land, near the river, from the [Cotton-] Gin-Port to this place, afford rich, greyish soil, with Oak, Hickory & Ash timber, and scattering Pine

23^d M. High land & open woods, within 2 @ 3 chains from the

River, right & left. . . . Piney woods both sides. . . . At head of an Island near mid-river. At mouth of a Creek to the left. . . . bluff or high land, on left

24th M. At the head of an Island, nearest the right shore. Strong current at the head of the Island. River 8 @ 10 f^t deep. . . . Gentle current. River 10 @ 16 f^t deep. Rich low grounds — thick Cane-brake right and left.

25th M. . . . To a Bluff on the right.

26th M. . . . Rich low grounds, with Cane-brake both sides. . . .

To 27th Mile. . . . At mouth of a small creek at a Bluff on left.

To 28th Mile. Bluff on left. — Cane-brake bottom on right. . . .

To 29th Mile. Cane-brake low grounds right & left. At mouth of a Creek to right. . . . River 12 @ 16 foot deep

30th M. At a Willow Isle near the left shore. Strong current, 8 @ 10 foot deep. . . . Rich low grounds, with Cane-brake, both sides Gentle current. At mouth of a branch on right. To a Bluff on the right.

31st M. Halt and encamp in a Cane-brake, on the left, at 1/2 past 4. ° Clock. P.M.

January 17:th 1808. Rainy and cold. At 7. & 33 minutes [A.M.] depart. Cane-brake low grounds on right & left a high perpendicular bank on the right, composed of yellowish clay, principally, with a soft, crumbling rocky base. . . .

32^d M. Rich low grounds, with Cane-brake, both Sides

33^d M. . . . the mouth of a Branch, on left. At a bluff on left. — Cane-brake bottom on right. . . . Rich low grounds right & left. River 10 @ 14 f^t D.

34th Mile. . . . At mouth of a small Creek on left. . . . At a Bluff on the left. . . . Cane-brake right & left. . . . To a bluff on the right. — Hilly.

35th M. . . . mouth of a branch on right. At this place there appears to have been a great Tornado, which has leveled the timber to the ground Rich low grounds, Cane-brake right & left. . . . River 12 @ 16 foot deep. . . .

36th M. . . . a bluff on the right. — Hilly. Rich low grounds — Cane-brake right & left To the mouth of a basin, or large lagoon, which leads up to the left, and which we at first took to be the mouth of a large creek — a small creek may empty into this basin or lagoon.

37th M. Bluff on the left — low grounds on right. . . . At a small Isle, one chain long, covered with water at this time, near Mid-river. At Cane-brake low grounds to the left and right. At a

Bluff on right. River 10 @ 16 foot deep

38th Mile. Rich low grounds. — Cane-brake right & left. . . . a small creek comes in on left

39th Mile River 12 @ 16 foot deep Bluff on left. Cane-brake low grounds right & left.

40th Mile. . . . River 12 @ 16 foot deep

41st Mile . . . To mouth of a branch on left. Cane-brake low grounds R & left. River 10 @ 14 f^t deep. Bluff on the left

42^d Mile. Cane-brake right & left. To mouth of a branch near a bluff, right. Hilly land a few chains to the right. Cane-brake left

43^d Mile. Rich cane-brake low grounds R^t & left. River 10 @ 16 foot deep — Gently current. at head of a Willow Isle, near right

44th Mile. To a bluff on the left. At mouth of a small branch on left.

45th Mile. Cane-brake left & right. Here we see the Live Oak (being the first we have seen on our voyage) in the low grounds to left. Rich low grounds. . . . At mouth of a small branch on right.

46th Mile. Bluff on right. Cane-brake bottom on left. River 70 @ 80 yards wide — 12 @ 16 foot deep — gentle, silent current. . . . a handsome bluff on left A plain hunting-path crosses at this place. To a bluff on the right. — Halt 20 minutes.

47th Mile. At a small Willow Isle, nearest the right. At mouth of a branch on right, near a short, high bluff, on right.

48th Mile. Cane-brake bottom on left — Bluff right. At head of an Isle near mid-river, nearly inundated. — River 8 @ 10 foot deep. Strong current. — Cane on the Isle. In the right channel is a small Willow Island, which occasions three channels Head of a Willow Isle near Mid-river.

Opposite Willow Isle & a Bluff on the right, is the mouth of a large creek, left; which enters with a bold current, and appears to be nearly half the size of this river. . . . Halt 22 minutes, and examine the above-mentioned creek for a small distance up it. It continues to be about 30 @ 35 yards wide, and affords rich Cane-brake low grounds.

At a small Isle near the left shore. . . . To a high bluff on the right. At this bluff I find a few shelving rocks; some loose, others projecting out of a perpendicular bank. They are of a rusty colour, and soft crumbling texture. — current more gentle. . . . Cane-brake low grounds left.

To 49th Mile River 12 @ 20 foot deep. At a small Willow

Isle, — & Willow shores on both sides. — Strong current. . . bluff left, & Caney bottom R.^t . . . River 80 @ 90 yards wide. At head of a small Island near right. . . Bluff on the right — Cane-brake bottom left. Gentle current . . .

50th Mile . . . River about 100 yards wide. — Eddy water. Bluff on the left, & skirt of Cane bottom right. At head of a small Island near Mid-river. . . *FIFTY-MILE-BLUFF*. At thin cane-brake both sides — high banks. At mouth of a branch to right.

51st Mile. At mouth of a large creek on right. Thick Cane-brake on right & left. . . a high perpendicular bluff on right. At lower end ditto, near the mouth of a branch: broken ridge to the right. But little current in the river at this place . . .

52^d Mile. Bluff on the left. — Cane brake bottom, right.

To 53^d Mile. At head of a small Willow Isle, near left. . . Caney bottom both sides. At head of an Isle, near the right. At head of an Isle near the left. . . Strong current. . . At a small Willow Isle near the right. At head of Willow shore on the left, near

54th Mile. — which are two Willow Isles, which with the one on the right, divides the river into five channels: The middle one is the most eligible for Navigation. — strong current. . . head of a Willow Isle near left. . . River from 6 @ 10 foot deep. Strong current. Cane-brake right & left: rich low grounds Gentle current.

55th Mile. A branch on the left. At a Bunch of Willows in an Eddy, right. At a handsome Bluff on the right. Halt and Encamp at 4. °Clock, P.M. Rained incessantly from the morning till 4 °Clock, P.M.

January 18th 1808. Cloudy morning. — Depart at 7: & 4 min. A.M.

Low grounds on left. — Bluff right. At head of a Caney Island. Cane-brake low grounds on right & left.

56th Mile . . . River 8 @ 12 foot deep. Halt 19 minutes. At head of a Willow Isle near the left . . . Cane-brake on right and left: gentle current . . .

To 57th Mile. To a high bluff on the right. The base of this bluff is composed of horizontal strata, of darkish, soft rock, resembling the pipe⁶ or soap stone.⁷ To the mouth of a small-branch on the right. Bluff on the right — Caney low grounds left.

⁶Pipestone is a red argillaceous stone. American Indians made their tobacco pipes from it, hence the name.

⁷Soapstone is a variety of steatite having a greasy or soapy feel.

Cane-brake low grounds right & left.

To 58th Mile. At mouth of a large branch, right. To the head of a Caney Island near the right. . . . At head of a Caney Island near the right. At a small Willow Island in the left Channel — Strong current. . . . At a Willow Isle near the right. River 8 @ 12 foot deep.

59th Mile. — At an Island near the right, and a bunch of Willows near Mid-river At a Willow Isle near the left. At a Willow Island near the right. At head of a Willow Island near the R.^t At head of an Island near Mid river Strong current. River from 6 to 8 foot deep. At a small Willow Isle in the left channel.

60th M. At lower end of Isle near mid-river, to the left of which is a small Willow Island. — Bluff on the left. — Caney low grounds on right 6 ft. [deep]. — Current more gentle 10 @ 14 foot deep. At mouth of a very large, bold-running Creek, on right. At head of an Isle near the left At head of a Willow Isle near Mid-river. . . .

61st M. At head of a Willow Isle near left a high perpendicular bluff on the right. Soft, blueish rock low grounds left.

62^d M. At mouth of a small branch on right. High bluff on right Cane-brake right and left. To Bluff on the left. Piney. Caney low grounds right & left. — Gentle current. River 12 @ 18 foot deep; 70 @ 90 yards wide. To a Bluff on right.

63^d M. . . . Cane-brake low grounds right & left. At head of an Isle. — Strong current. Willow Island near the right Piney bluff on left. At upper point of a Willow Isle, near the left.

64th Mile. Bluff on the right. — Cane-brake on left a Bluff on the left. At head of a Willow Isle, & willow shore, left Strong current. — River 6 @ 10 foot deep. Bluff on the right. — Caney bottom on left

65th Mile. Gentle current — 10 @ 18 foot deep. Bluff on the right. Caney bottom left. To Bluff on the left & right.

66th Mile. At mouth of a branch to the left. Piney hills on the left — the first we have seen on that side. Narrow Cane-brake on the right.

67th Mile. A steep, piney ridge rises from the edge of the river, on our left Caney bottom left. Slow, gentle current, 12 @ 16 foot deep.

68th Mile. Bluff on the right. — Caney low grounds on left. At a Bluff on left, & narrow low grounds right.

69th Mile. Cane-brake both sides

70th Mile. River about 115 yards wide, & 10 @ 12 foot deep —

gentle current. At mouth of a bold-running River, L, which appears to be about 45 @ 50 yards wide, and occasions a considerable Eddy, or Whirlpool, immediately below its mouth, near the left shore. A Bluff on the left Cane-brake low grounds on the left & R. At head of a willow Isle near the right a bluff on the right. At head of an Isle near the left.

71st Mile. At mouth of a branch on the right. Strong current Gentle silent current — 120 @ 130 yards wide.

72^d Mile. 12 @ 14 foot deep. Caney bottom right & left. At a Bluff on the right

73^d Mile. Cane-brake bottom right & left. At head of a Willow Isle, near left. At a patch of Willows near mid-river the mouth of a large lagoon, left. At a Willow Isle near the left. Strong current W. Isle near L. Gentle current. High level land near the river on our right. At head of an Isle near Mid-river, nearest the right.

74th Mile A Bluff on the left — Red Bank Cane-brake right & left.

To *75th Mile.* Bluff on the left — Caney bottom on the right

76th M. Open woods on the right. Halt 20 minutes. — Gentle current. At mouth of a small creek on the left. Cane-brake low grounds on the right.

77th Mile.

78th Mile. Cane to right & left

79th M. . . . Willow shore on right Strong current.

80th Mile. Cane to right and left. Willow shore left At head of a Willow Isle, nearest the right Cane-brake right & left. At mouth of a Lagoon on left

81st Mile Bluff on the right, near which is a lake on the same side, bearing N. N. W. from the bluff Cane-brake low grounds right & left.

82^d Mile. Halt 20 minutes Strong current . . . Willow shore left. At a patch of Willows, mid-river. At mouth of a creek on the right. Willow shores and small Isles on both sides.

83.^d Mile. Strong current — 7 @ 10 foot deep. Cane-brake on left, & Bluff on the right. Open land, which appears to have been cultivated, R At a patch of Willows near the middle of the River At upper end of a Willow Isle near L At term of course if the mouth of a river, which appears to be 60 @ 65 yards wide. — Rich Cane-brake low grounds on both sides.

84th Mile. Strong current a lake on left Bayou R.[†]

85th Mile. Low Grounds on both sides . . . Strong current . . . to a Bff, L. A lake on the left, a few chains to the N. E. of Bluff L. At head of a Willow Isle on right . . . Low grounds on left. Bluff . . . on right . . . Encamp.

January 19.th 1808. Clear and very cold. Depart at 45 minutes after 6. A. M.

86th M . . . bluff L. At mouth of a small creek on the R . . . Willow Isle near R. Gentle current — River from 12 to 16 foot deep . . . Low grounds R & L.

87th Mile . . . At head of a Willow Island near mid-river . . . At a Willow Island near the left.

88th Mile . . . Bluff on the right. Strong current. Cane-brake low grounds on right & left . . . Gentle current. At head of an Isle nearest right . . . Bluff on the left. Halt 10 minutes.

89th Mile. At head of a Willow Isle near left. Low grounds left . . . bluff, right.

90th M. At head of a Willow Island near L. Cane-brake right & left. — Rich low grounds . . . Bluff on left. Cane-brake on the right & left. At head of an Island nearest left . . . a creek on right.

91st Mile — Rich low grounds — Cane-brake right & left . . . At head of a Willow shore & Isle near R.

92^d Mile . . . To a basin, left, about 150 yards across. Cane-brake low grounds right & L. Strong current . . .

93^d M. . . . a bluff on right. At mouth of a branch on right, at an old field.

94th M. Cane-brake on right & left. At head of an Island near the left . . . bluff left — Cane-brake right . . . Gentle current, 12 @ 16 foot deep.

95th M. The river widens to right; where [there] are Willows forming an Isle . . . bluff on the left. Cane-brake on right . . . Cane-brake on right & left, to a Bluff on the right . . .

96th Mile . . . Cane-brake rich low grounds both sides. At head of a Willow Island nearest the L . . . 6 ft. [deep].

97th M. Cane-brake on right & left. Gentle current. — River from 12 to 18 foot deep . . .

98th Mile. . . Willow Isle near left . . . a branch R.^t Bluff right — Cane-brake left. At a Willow Isle near the left . . . Willow shore on right.

To 99th Mile. Cane-brake low grounds right & left . . . Bluff L . . .

100th M. ONE-HUNDREDTH-MILE-BLUFF . . . Strong current. At mouth of a lagoon on the left. Rich Caney low grounds R

& L. Willow shore R.

101st M. . . . Current gentle . . . Willow Island near the right . . .

102^d M. . . . a bluff on the left, above which is the mouth of a creek or lagoon, left. . . . Strong current. . . . bluff R; above which is a basin. At head of an Island near the middle of the river . . . River 8 @ 12 foot deep. Cane-brake right & left. — Willow shore left. At a patch of Willows in mid-river. At head of Willow Isle near mid-river . . .

103^d Mile. . . . At mouth of a small basin on the right. . . . Bluff on the left. Current gentle — Low grounds on the right. At a small patch of willows in the river near L.

104th M. Cane-brake low grounds on the left & right. At mouth of a large branch on the right. . . . a high bluff on the right. At mouth of a branch on the right. . . . Cane-brake bottom L.

105th M. At mouth of a small branch on the right. . . . a branch on right, & high Bluff R.^t . . . Cane-brake right & left. At a small Willow Isle near mid-river, which broadens towards the right to term of course.

106th M. Bluff on the left. Bluff on the right. (Halt 16 minutes) A plain path leads from the river on right & left. . . . High level land near the river on both sides. Mouth of a branch on the left. Good upland both sides. . . . Gentle current continued.

107th Mile. A Willow shore and Isle on the left. Cane-brake on R. to a Bluff on R. Strong current. River 8 @ 12 foot deep. Cane-brake low grounds on L. Bluff on R.

108th Mile. — Cane-brake low grounds on right & left. A small Willow Island near left. . . . willow shore near the R.^t Caney Island near mid-river. L. Channel best. . . . Strong current from head to foot of the Island. Bluff on the left. Cane-brake on right.

109th M. Cane-brake low grounds on both sides. Mouth of a creek on the right. A small Willow Island near the left.

110th M. Mouth of a creek or lagoon on right. At a patch of Willows in the river, nearest the right. . . . Steep, barren ridge near the river, on right. Cane-brake low grounds on the left. . . . Bluff R.

111th Mile. . . . Bluff on the left. Cane-brake on the right.

112th Mile. . . . Cane-brake low grounds on the left, and Bluff on right. . . . Gentle current.

113th Mile. — Willow Isle near the right & left. Cane-brake bot.^m At a small Willow Island near the left. Willow shore on right. Low grounds [&] cane-brake R & L. . . . small Willow Island near the L. At head of Willow Island near right.

114th M. . . . At the mouth of a creek on left. Cane-brake low

grounds on the right & left.

115th M. Low grounds on the right & left.

116th M. D°

117th Mile. . . . Rich low grounds, thick Cane-brake R & left
 Strong current

118th M. . . . mouth of a river or lake, nearly as large as the Tombigby above this place. Bluff on the left, & low grounds on right head of an Isle Bluff right. Cane-brake low grounds Right & L.

119th Mile. A Bluff on the left. Caney low grounds right

120th Mile. At a handsome Bluff on the right. Halt at 5.
 ° Clock, P.M. & Encamp.

January 20.th 1808 — Clear & cold. Depart at 3/4 past 6. A.M. without provision. Willow Island near the middle of the river. Strong current Low grounds [&] Cane-brake L. — Bluff right.

121st M. Cane-brake low grounds R. Bluff on left Cane-brake on left. Bluff on right. Mouth of a branch on the right. Narrow Cane-brake on the R.

122^d M. . . . Bluff on left & right. At a small Willow Island near R. At a branch on the left Head of Willow Isle L. Cane-brake on the left

123^d M: . . . a bluff on the left. Thin Cane-brake on the right. High bank on the right — rocky base; upper strata of rock is about 4 foot above water. This rock, as well as almost all others to be found on this river, is of a light blueish colour, and fine soft texture, entirely free of grit. It forms the base of the bluffs or steep banks, and lies in horizontal strata of 1 @ 3 foot thick; and in many places has the appearance of a stone-wall rising from beneath the water.

Branch on the left. At head of a Willow Island on the right.

124th M. . . . At mouth of a Creek on left, about 20 yards wide. Bluff on both sides. At head of a Willow Isle on the left. Strong current. — River 16 @ 20 foot deep Cane-brake bottom left bluff L. & narrow Cane-brake R. Bluff R. — Gentle current. Narrow Cane-brake bottom on left. — Bluff right. Bluff on the left, and narrow bottom right.

125th M. Cane-brake & willow shore, left. Bluff on right. Strong current mouth of a creek on left. At head of a Willow Island on the right. Bluff on the L. Gentle current.

126th Mile. At head of an Island near the right. Narrow Cane-brake right. Bluff on the left — Caney bottom R.

127th M. . . . a small Willow Island near the L. Caney low

grounds on left. . . . Bluff on right, at the upper end of which is the mouth of a branch. A small Willow Island nearest R. Willow shore and Cane-brake R.^t Bluff on the left. . . . Strong current.

128th Mile. . . . At head of an Isle near R. . . . Caney low grounds L. Bluff R. At head of an Island nearest the left. Caney low grounds R & L. Bluff on the left. . . .

129th Mile. — At mouth of a branch left. At head of a Willow Isle near R. . . . A Patch of Willows near L.

130th Mile. — Caney low grounds on the L. A Creek on the right. . . . Bluff on right. Willow shore on the right. . . . Bluff on the left. Cane-brake low grounds on the right. At a branch on the right.

131st M. At term of course upper end of a high bluff, bordered by a great Prairie, on the right, on which we perceived a House — a truly interesting discovery to the whole of us. — being entirely out of provisions, and hoping here to find a supply; but on examination we find the house to contain nothing but an old chair. — We find in the Prairie a handsome flock of Cattle, and on the bluff, suitable enclosures for their management in Summer. The bluff is about 200 feet in height, and as nearly perpendicular as a Clay bank of equal altitude is usually found. This bluff is edged with Cedars. —

Bluff on right — Low grounds on L. . . .

132^d M. At term of course a Bluff on L. Cane-brake left & right. Bluff on the right.

133^d M. Halt, on account of an injury which my Time-piece received; and, being unable to repair it, make a *Second-Pendulum*, by which I obtain the time. (Line of Vibration 39 Inches.) A Bluff on the right. — Cane-brake left. A Branch on the right.

To 134th Mile. . . . Willow shore & Cane-brake left. . . . Narrow Cane-brake R. . . . Bluff on left. Cane-brake on the left. . . . Bluff on right.

135th Mile. At an Indian House on the Bluff, R. Halt for the day, in order to obtain a supply of provisions, with which we are furnished by M^r Riddle, who lives about 4 miles W.S.W. from this place, on the Oaknoxaby Creek.

January 21:st 1808 — Cloudy. Bluff on the left — Caney bottom right. . . . At head of a Willow Island — Left. . . . Current gentle.

136th Mile. Bluff on the left. — Caney bottom right. . . . a skirt [of] Cane-brake, L.

To 137th Mile. — Bluff on the left. Low grounds, R. . . . Caney

low grounds L & Right. Willow shore on the left. Bluff on the right — Caney bottom L.

138th M. To the mouth of *Oaknoxaby*. This creek is about 35 yards wide, and at this time, from 12 to 14 foot deep, for a small distance up it. Silas Dinsmoor Esq:^r⁸ having surveyed the Tombigby River, *on land*, from Sintabogue to this place, and having, at Fort Stoddert, a Copy of his Notes, I should here terminate my survey, but for the expectation of obtaining data to correct my work above, as to *distance*. I, therefore, determine to proceed, as usual, for a few miles, and ascertain the difference between M^r Dinsmoor's *admeasurement on Land*, and mine, by time, on water.

* * * * *

From the mouth of *Oaknoxaby* to this place [two miles down the Tombigbee], I find the velocity of the current to correspond very nearly with that above, and there is but little variation in the general appearance and depth of the river for the last two or three days sail.

Edmund P. Gaines
Captain 2nd Infantry

⁸Silas Dinsmore, a witty Scotch-Irishman from New Hampshire, became one of the more prominent pioneers in the Mississippi Territory. After serving as Choctaw Agent, he became the Principal Deputy Surveyor of the entire district east of the Island of Orleans. He was a friend of both Edmund Pendleton Gaines and George Strother Gaines.

"WITH LOYALTY AND HONOR AS A PATRIOT"

RECOLLECTIONS OF A CONFEDERATE SOLDIER

edited by

Royce Shingleton

The following account is from "A Reminiscence of the Life of C[laude] L[ee] Hadaway, as a Confederate Soldier, . . . Including Battles, Marches, and Other Incidents." Acting without the knowledge of his parents, Hadaway enlisted at age sixteen, and served from August 10, 1861, to April 26, 1865. The Alabama native participated in many campaigns during the war, including action in Tennessee, Mississippi, Kentucky, Georgia and North Carolina. Demonstrating that camp life could be as hazardous to a soldier as combat, Hadaway was never wounded or captured, but was sometimes sick — once with mumps and again with a severe case of "typhoid pneumonia."

From his home in Bessemer, Alabama, Hadaway wrote of his wartime experience in February, 1913, at the request of the Bessemer chapter of the United Daughters of the Confederacy. He refuted any claim to scholarship, and pointed out that he made no attempt to disguise the facts. Hadaway's comments on Confederate civil and military leadership, as well as his belief concerning the probable outcome of the war, are especially interesting.

I am grateful to Deborah Lee Hadaway, a great-granddaughter of the Confederate soldier, for the use of this manuscript.

1861

TENNESSEE and MISSOURI

The company in which I enlisted was organized at Desotenville, Choctaw County, Alabama, Jones Griffin, Captain. The company was known as the "Griffin Rifles", we left home the first day of August 1861, and were mustered into the service of the Confederate States for the duration of the war, in the City of Montgomery, Ala., August 10th, 1861.

We were ordered to Memphis, Tenn.; we remained there for some time, from there we were mustered to Fort Pillow, Tenn., on the Mississippi River, Colonel L. M. Walker commanding the post. Here we were organized into a regiment, composed of four Alabama companies, four Tennessee and two Mississippi companies, electing Alpheus Baker of Eufaula, Ala., Colonel.

Up to this time, some four months, we had no arms. Colonel Baker conceived the idea of a wooden gun, this idea was put into practical shape at once by splitting into proper size ash timber with such tools as were at hand or could be secured. We borrowed guns' from Col. Walker's Regiment, who were well armed with splendid Enfield rifles; these we used as patterns, with these wooden ash imitation of guns we learned (imperfectly of course) the manual of arms. This was the condition of the entire regiment, more than eleven hundred men. After a considerable time, we were told that we would be well armed with new Enfield rifles such as the 40th Tennessee (Walker's reg.) had. To our utter astonishment and disgust, when the guns came, they were the most disappointing conglomerated mass of steel and iron the eyes of man ever beheld. There were fine silver mounted rifles "Long Taws", or "Rake Tickets", some without locks, others with no tubes; shot guns, double and single barrel in the same condition; flint and steel musket without locks, others with no tubes; flint and steel musket without flint or steel, no doubt having done service in the war of 1812; Belgian rifles, all of the most antiquated pattern and make, utterly and absolutely useless. The above may seem an exaggeration, but it is literally true. The regiment in its entirety was never uniformly armed during the war and I had only such clothing as was sent me from home.

From Fort Pillow we were ordered to New Madrid, Mo. There I suffered from cold weather more than at any time during the war. I stood on picket duty there, with orders not to leave my post, having on my feet three pairs of heavy woolen socks, a pair of heavy boots, two pairs of pants of heavy woolen and undergarments, two shirts, two coats and an overcoat, and actually my feet and legs were stiff and my body in a tremble with cold, and the snow falling in flakes as large as the bowl of a teaspoon. You could scarcely see a person a hundred yards distant.

We evacuated that point at 2 o'clock at night, leaving two men asleep in a large farm house near where we were on picket and had been abandoned to the merciless fortune of war, those two men finding they were left, lost no time in getting to town, a half mile distant, but were too late; none of the pickets knew anything of the evacuation until we were marched aboard a gun-boat lying in wait for us, one of the men seeing a stage plank near-by eighteen feet long, shoved it into the river and got on it, and tried to get his companion to go with him, but he refused to take the risk; this man whose name was Daniel McFarlan, was never seen or heard of afterwards by any member of the company. Flinn, the other man, stuck to his stage plank until some distance below the Mo. line, his craft drifting to the Ark. side of the river, he disembarked and made his way down the river to Helena, thence across the river to Memphis, Tenn., in safety.

The main body of troops had preceded us up the river to Island 10, for what purpose I have never had an idea, except as subsequent events seem to prove that the movement was made in order to deliver the goods already agreed upon; this is not fiction. My company was on picket on the island, Lieutenant Henry T. Lindsey in command. The night was so dark that it was impossible to see an object any distance except by the flashes of lightning; in this way a gunboat and two transports slipped down below the island. Lieutenant Lindsey reported the facts to headquarters, and was threatened with arrest for making a false report, forty-eight hours later the Yankees were landing on the Tennessee side of the river by transports. This also was at first denied; about twenty-four hours later the troops were ordered out ostensibly to give battle, but in reality to capitulate, which was done without the firing of a gun, the sick were ordered to make their way to Tiptonville about fifteen miles down the river, where it was said a gunboat was in waiting for us. I will not give my opinion, more than to say, the movements, as results very clearly proved, were open to criticism and suspicion.

I was in my tent sick with mumps, which had developed to such a degree that I was unable for duty, and was ordered with others to Tiptonville as stated above, but the wagon I was with was very heavily loaded with ammunition and the road

was wet and muddy, consequently we got behind and took the wrong road which led us to a double log-house near the edge of Reel Foot Lake, here we stayed until morning as it was then about sundown. The next morning about daylight we heard the Yankees beating reveille which very naturally hastened our departure.

Taking two of the best mules and securing the services of a small boy who said he could guide us to a place where we could cross the lake; acting on his statement we started on a trail way through switch cane [but] to our astonishment we were soon at the edge of the lake with nothing in sight but an interminable sea of water; as I had made no arrangements for a trip north under such circumstances, I suggested to my companion that we go down the lake until some place presented a more encouraging chance of escape. This we did after trailing a while down the lake, we discovered that we were going parallel with the road we had left the evening before and as it seemed to offer a more pleasant and expeditious way of leaving our tracks behind us, we at once directed our steps that way; arriving at the ferry we found about 500 men at the ferry awaiting their chance at a flat boat, skiff, dugout, or anything that would float. They were infantry, cavalry, and artillery, each with their respective munitions of war. My companion, whose name was Rufus Parker, a native of Tuscaloosa, Ala., said to me after taking in the situation, "I have heard of a small flat boat across the lake, and when a certain skiff returns I am promised a seat in it, and I am coming back after you, so be on the lookout for me." We were then sitting on our mules in water as deep as the mules could stand and retain their footing.

The next morning after crossing the lake and having secured a little something to eat, we started across the country to Bell station one hundred miles distant, over roads muddy, boggy and almost impassable, rain and snow falling as a diversion, but our long weary tramp was at last rewarded, when all foot-sore and hungry and in a famishing condition, we saw the little station village at a distance. We boarded the trains as soon as they came along going to Memphis. Arriving at Memphis we went into camp. The news of our escape had preceded us, and the ladies (noble souls) for ten miles out in the country came in carriages, buggies, wagons, and by railroad and carried

us to their homes where we were Princely entertained, surrounded by every comfort and luxury, that only true Southern hospitality dispenses. [After] . . . ten days . . . we returned to Memphis and went again into camp.

1862

MISSISSIPPI, KENTUCKY and TENNESSEE

A short while after our return to Memphis, we were ordered to Corinth, Miss. The battle of Shiloh occurred on the 5th and 6th of April 1862, Saturday and Sunday. Island 10 was surrendered the 7th or 8th, Monday or Tuesday immediately following, I am not positive which. I was attached to the 22nd Alabama Regiment, and was in all the picket fighting and skirmishing at and around Corinth; was in the retreat the 22nd Alabama being the rear guard of the brigade covering the retreat of the main army. While engaged in tearing up a bridge across Tuscumbia creek the Yankees came up finding us hard at it, tearing and burning the bridge. I was up the creek on picket standing beside a small sweetgum tree. I noticed something was approaching from the opposite side of the creek through the cane, which was very thick and tall. At first I took very little notice of it, thinking it was a bog or cow; but noticed the cane was moved with caution and noiselessly. I then knew at once what to expect. I cautiously moved behind the gumtree and awaited further developments; a few minutes later I saw the outline of a man making for a hickory tree that stood in front of me. I recognized at once what he was and his object so I brought my gun to a firing position. I do not think he had seen me until he stuck his head from behind the tree. As he did so, he saw me and jerked his head back none too soon, for I had a deadly aim at his head which a second later would evidently have been fatal to him. He kept that hickory tree between us in such a manner as to make good his escape, and I do not blame him for I was in control of the situation, and was not there for my health. A few minutes later firing began up the creek. I hastened to the scene of action where we had a spirited contest as to who should occupy the west side of the creek—the Yanks or the Confederates. Finding they were not in our class in the contest they withdrew to safer quarters — about this time firing was heard down the creek

at the bridge — the Yankee cavalry had made a dash on the force that was tearing up the bridge; they met with such defiant, fatal and determined resistance that they became discouraged and fled unceremoniously without leaving their address or their probable destiny, leaving behind them their dead and wounded comrades, their dreams of brilliant victory and fleeing Rebels all lost.

Without further interruption we finished tearing up and burning the bridge, we left the swamp and went out on a little hill where the road forked; having had nothing to eat since the day before, we were greatly fatigued and ravenously hungry. We secured a very fine beef which was divided up, each getting a small piece; we had neither salt nor bread, so we broiled our little piece and ate it thankfully. I will explain why we were reduced to this condition. In a retreating army, where the retreat is conducted orderly and with good generalship, a regiment or brigade, as may be required, is ordered to march in the rear so as to cover the movements and protect the main army, the supply or wagon train generally travels in front of the main army so as to be under the protection of all the forces, this was the case in the instance just related, so we could not get to the supply wagon.

Several days after the occurrence related above, I was taken with Typhoid Pneumonia, foolishly remaining in camp refusing to report sick for fear that I would be sent to the hospital, for which I had a supreme contempt and horror, but as the army had to move on, and I was unable to take my place in ranks I had to submit to the inevitable. My suffering simply cannot be described here. It was in June 1862, I, with a number of others were put into a freight or box car as so many hogs, cows or horses; there we remained in the sun for three hours without water or anything that would alleviate our suffering. Why all this delay and suffering was permitted, I never knew unless it was to test our powers of endurance, and many did not survive the awful experience. The worst of my experience was still ahead. I had in some way got out of the car, and climbed on top, how in my fevered and weakened condition I do not know. Arriving at Artesia we were detained there some two hours or more; I was still on top of the car. While the car was in motion it was more pleasant. Finally we got to Columbus, Miss.;

how I got off the car I do not know, nor how I got to the place called the hospital, which consisted of ordinary company or mess tents, no cots nor bedding of any kind, situated in the woods on a little creek with a spring under a bluff, reached by a rugged circuitous pathway. Here I found myself a little before sundown, how I came there I never knew; having had no water since boarding the car that morning, the agonies of my thirst were simply inexpressible. I asked those passing to and from the spring for water, but was unheeded. Finally I resolved that I would have water or die in the effort to get it, I crawled down cautiously the little winding pathway, to that fountain where the pure elixir of life was flowing freely and bountifully. Having slaked my thirst, I crawled back to [the] top of the bluff, there I again lost consciousness. The next day, having regained consciousness, I found that I was in a small tent as before described, lying on the ground with one lone blanket under me and my knapsack for a pillow, and a sick man on either side of me elbow to elbow. Sometime that night I became insensible for how long I do not know. I only know that one of the men was dead and buried, the other lying beside me a corpse. When I regained consciousness my battle for life was not ended. I had conquered the disease more by a perfect constitution and invincible will force than by the skill of physicians or the attention of nurses or comfortable and sanitary surroundings, my worst enemies now were hunger and the doctors, so my next battle was to satisfy hunger, defeat the doctors in trying to starve me to death, and thereby cheat death out of an unwilling victim. This I did with the aid of a kind old gentleman who knew me when a small boy as a Sunday School scholar. He at first refused to join me in my plot to defeat the doctors by accruing something more nourishing than the regulation diet prescribed by the doctors. Well, I pulled through and reported to my command at the earliest moment possible.

In August we broke camps for the Kentucky campaign, which was the hardest and the most fruitless in proportion to troops engaged and results obtained, of any campaign conducted in the Tennessee Department of the army. It was claimed that there were a great many secessionists throughout the state that would join the Confederate army, but were prevented from doing so because of a strong union sentiment in certain sections

of the state. This of course looked plausible, especially so, when it was known the state legislature was nearly equally divided on the passage of an ordinance declaring the state's withdrawal from the Union, but the sequel of the campaign showed that it was ill-advised. We lost more men killed by bushwackers than were gained by enlistment, to say nothing of the number of men who were completely broken down and exhausted from forced marching night and day, and had fallen behind and were picked up and paroled by the Yankees. It is true we captured Mumfordsville, . . . between five and seven thousand prisoners, about ten thousand stands of small arms, [and] some light artillery and cavalry. The battle of Perryville so far as the decision of arms was concerned was to the credit of the Confederates, but was barren of any substantial benefit or advantage to the campaign. At camp Dick Roberson, I saw in a plot of ground some ten acres in scope I suppose, barrels of pickled pork standing end up all over that plot of ground, at least as far as I could see, every barrel of which was burned while the army was sorely pressed for rations, $\frac{1}{4}$ of a pound being a man's ration, or what was issued for a day. I saw hundreds of the finest beef cattle driven so fast over stony turnpike roads their feet were worn to the quick and unable to travel. They were killed and left on the side of the road, I saw army wagons laden to the limit with Kentucky Jeans of all colors and weight, that was to be made into clothing for the Confederate Soldiers, but I never saw a suit nor a garment made of it, nor anyone else that did. What became of it I was never allowed to know, what I have written may not be recorded in the so-called "history of the Civil War", but nevertheless it is true, for I personally [was] present from Tupelo, Miss. to Knoxville, Tenn. where the campaign ended.

I will relate one or two personal incidents that will verify what I have said above. I bought from a comrade a pair of new shoes that he had been lugging around for some time, as he proposed to sell them cheap. I thought I was doing a wise act in buying them. I had on a pair of good shoes and really did not need the shoes at all, we usually marched until ten or 11 o'clock at night, often much longer. I had lugged my new purchase around for several days when marching very hard all day, and until 12 at night having just got settled down,

some had gone to sleep, we were suddenly called to arms about 2:30. To leave off unnecessary weight I took off my old shoes and donned the new ones. When we were not at double-quick we were at a half-run and a half-walk. This speed was maintained until nearly daylight when we stopped and slept until sun-up. Very early . . . [my] new shoes [had begun] . . . to give notice that they were not accustomed to being trampled upon over stone pike roads. Finally I began to use my knife on the offending shoes, the more I used the knife the less shoe I had left and no substantial relief was given to the offended foot. Finally the shoes or what was left of them were abandoned entirely and I marched the remainder of the night barefooted. The next morning I could not stand on my feet. They were swollen and as inflexible as a board, and of not much more service for locomotion. Consequently I was relegated to the wagon train for repairs. My feet were swollen until the bottom of them were as round as a beaver's tail. Now this is clearly a case of avoidable suffering, and other discomforts brought about by my own unwise conduct. I will mention one more case in which suffering, discomforts and perhaps death might have been avoided, which the victim in no way was responsible for.

There was a young man by the name of Tom Ray who was stricken down with pneumonia a few days after we got to Knoxville, Tenn.; the weather was fearfully bad, sleeting and snowing with no tents, and but few blankets. Some men had none at all, this man and his brother had three at this time, one on the bare ground, one stretched over Tom to protect him from the sleet and snow, and one for cover. The two men were not of a very genial spirit, and I had never cultivated any intimacy with them, but learning Tom was very sick I went to see him and found him in the condition I have described. I had but one blanket, and I gave that to him, but the poor fellow died. Now this man was willfully neglected, for it was only about a mile to town, where he could have been carried to the hospital and been more comfortable if not his life saved.

General Bragg was rated as a great general, and perhaps my judgment and not his generalship is a fault when I say he showed very poor generalship throughout the Kentucky campaign. It has been said that Gen. Bragg was a great disciplinarian, in a way that was true, bordering largely on tyranny.

His discipline, mainly, was brute force, he seemed to overlook the fact that the southern soldiery, rank and file, mainly were of the first and best blood of this chivalrous southland, and was the equal of him or any other man in point of patriotism, honor in duty, pride, principal or courage, his knowledge of military affairs only excelled.

A short while after we reached Knoxville I was transferred to my old command, which had been exchanged and was at Holly Springs, Miss. Having returned to my old command, I felt like I had got back home sure enough. Well, nothing of importance happened for some time. We went to Grenada and camped about one mile east of town. We called it Camp Lovell, right here I saw some of the most wonderful beef that it was every my misfortune to see or try to eat. We drew rations of beef one day, and our rule was that messes take it by turns in drawing first choice and so on to the last. This day the Orderly Sergeant's mess was to draw last, the head of each mess had taken his choice down to the last which of course fell to the orderly. It was the flanky skirt joined to the hind quarter with last rib to it. There was a rough-bark red oak tree that stood nearby. Bill picked up the piece of imposition, threw it against the tree, it wrapped itself around the tree and stuck there as long as we remained there. It is no exaggeration to say that there was not enough tallow in the amount of beef required for a company's ration to grease a pair of new russett shoes. While it was in process of cooking it smelled like a glue factory. Afterwards you had the glue in evidence. Some of the boys went out to the slaughter pen on a tour of investigation. When they came back they reported that they saw in a pen a lot of emaciated cattle. They saw a number of small poles placed at intervals over the pen and a man following the frame of what appeared to have once been a very fine steer, but now only the skeleton of a beast with a large head of horns. When the man was asked what the poles were for, he replied, "You see it's this way, when we get an order for the next day's rations we select one we think will fill the order and start him over the pen; if he gets over the poles prettily without falling down, we excuse him for a while longer; if he falls down in his effort to step over the poles he is served for the next day's rations." I am not responsible for the report, but conditions and circumstances seemed to justify it.

We left Grenada for Yazoo City, from there we went up the river, where the Tallahassee [*sic*] and the Yazoo come together. We remained there the balance of the winter. Our camp was about one mile below the two rivers. We cut all the timber between the two rivers. It was [a] difficult, laborious undertaking, with nothing but club axes to work with. This was done to give a commanding view from one river to the other. It was said that the Yankees were cutting a canal from the Miss. river into the Tallahassee [*sic*] River, the idea seemed very absurd, for the Tallahassee [*sic*] was very narrow and hardly navigable for very small boats, and much less so for gun boats. I never saw or heard of a Yankee anywhere in that part of the state, but suppose it served some purpose.

1863

MISSISSIPPI

Very little of interest happened after we left this place until the battle of Baker's Creek. We left Vicksburg on Saturday and marched to Big Black Railroad Bridge, there we left our baggage and non-combatants. That night we camped in Big Black swamp and made preparations for the struggle next day, some slept while others cooked. We had no cooking utensils except such as could be tied to the cartridge belt or strapped to the back where the knapsack was usually worn, but our wardrobe had long since been reduced to such extremities as to afford but little weight or inconvenience in transportation.

A beautiful bright sun-kissed Sabbath morning came, finding us fatigued and weary from loss of sleep, and scantily provided with rations. Nevertheless we were ready for the struggle. My brigade was commanded by Gen. Lloyd Tillman [*sic*] from Kentucky; a more gallant and fearless officer was not in the "C.A." We were soon in full action. Our position was to the west of the Champion residence, situated on a hill to our right. The enemy finding they could not break the center of our line began massing their forces on our left toward the creek. Tillman's [*sic*] brigade was double quicked to reinforce our left wing, which under the galling fire of great odds, had begun to waver. Here Gen. Tillman [*sic*] was killed, while adjusting a twelve-pound Howitzer just to the right of my regiment, 54th

Ala.; Col. Baker was wounded, also his horse, but neither left the field of battle. We lost and killed and wounded a good many, but I do not now remember the number. As to the success of arms it was about a draw. Now it is not my intention to do anyone an injustice, but I will not disguise facts to shield anyone, but will relate facts as they actually occurred.

Late in the evening, the Confederate troops were withdrawn and ordered into Vicksburg. This was a fatal stroke to the Confederate Cause, as it was well known to the rank and file that the Yankees were in absolute control of the Mississippi river from Cairo to Vicksburg, [with] the Miss. river a mile wide on the west, a victorious and superior force east and in front, [and the enemy] also in possession of Port Gibson, twenty miles below. You will pardon me for saying it looked indeed like the work of a Benedict Arnold of Revolutionary fame, only more successful. Gen. William Loring refused flatly to take his division into Vicksburg as ordered, realizing the situation as stated above. So when the shades of evening had cleverly gathered, we took up our line of escape through a wooded strip lying between the battle field and Baker's Creek. I have never read a page of any history of the Confederate War, and I do not know whether Loring's escape with his entire division [from] the siege of Vicksburg was ever written or not, but this I will say without the fear of successful contradiction [that] for daring and skillful generalship, it had no equal during the four years of hostilities between the States.

Well, we had made our escape and were at Crystal Springs. After drawing rations and resting a short while, we pushed on to Jackson. Let me tell you something about Jackson. We had a short while before the battle of Baker's Creek stopped in Jackson and camped south west a short distance from town; the boys would go to town, some with permission, others no doubt without it. It seems the presence of soldiers on the sidewalks was very offensive to some of the elite and chosen few of the immaculate citizens of the metropolis, so the soldiers were ordered from the sidewalks. Of course, this was resented by the soldiers and justly so; under proper proceedings, the city authorities could have had protection by the military and civil laws. Also no Confederate soldier was immune from punishment for violating the law, either civil or military. The boys

possibly had imbibed pretty freely of the "Oh be joyful", and were no doubt somewhat jubilant over the fact that they had not been killed in battling for the protection of Jackson, and the state of Miss. Now this was not all. The great city — Jackson, had been so outraged by Confederate soldiers walking upon her sidewalks that the angelic and sainted mayor and board of aldermen were going to pass an ordinance forbidding a Confederate soldier walking upon the sidewalks of the city. This came to the notice of Gen. Loring. He notified the authorities that should they do such a thing it would be impossible to restrain the men, and he would not be responsible for the result. I will only say that it would have been a sad and costly ordinance to Jackson.

A short while after we reached Jackson, after our escape from the siege of Vicksburg, the second battle at Jackson occurred. The battleground was east of Jackson, between a field of very fine corn and a small creek; our brigade was on the left wing of the division; as we emerged from the field of corn, the enemy seemed to be surprised. We reserved our fire until within less than fifty yards of them, when we fired a simultaneous volley, and a rushing charge and firing as we advanced. This was too much for Mr. Yank. We pursued them to the creek, when we fell back near the fence of the corn field, mentioned above. It seemed like the Yanks didn't get mad until they got across the creek and out of range of our guns. They then kept up a desultory firing forcing us to lie down among the dead and wounded. In this position we remained while a detail from each company was engaged in constructing temporary breastworks; the weather being intensely hot, and between twelve and one o'clock it rained a heavy shower. The dead and wounded were lying around apparently thick enough to step from one body to the next one. I had for protection from the scorching rays of the sun, which had shone out with intensified heat after the rain, a clump of small bushes, which only afforded partial protection for my head and shoulders. There were several dead men lying near me, soon the heat of the sun and the dampness of the clothing of the dead created a condition easier imagined than expressed. About three o'clock in the afternoon we occupied the breastworks. To our right further down the line, was a skirt of woods that afforded a better protection from the distressing heat of the sun, and concealed the

men from the aggravating and searching bullets of the Yankee Springfield rifle, that would carry with deadly effect easily four hundred yards. We had very few of such guns.

Here, you will pardon a personal reference to myself. I have never claimed to be brave nor conspicuously courageous, but I never hesitate to relieve suffering and distress when it is in my power so to do, though danger and life itself might be involved. Obliquely from where I was I saw a man sitting at the root of a tree, his piteous moans and cries for water attracted my attention and my sympathy was at once enlisted; [since] a detail had just returned from the creek with water, I took my canteen and turned to my captain saying that I was going to carry that poor fellow some water; he remonstrated, saying it was suicide, but I insisted that I could return safely, so I got over the breastworks and threaded my way through the dead and dying to where the wounded man was sitting. I found he was fatally wounded in the larynx, at every gasp for breath the blood would gush from the ghastly wound. I said to him, "my poor fellow, you seem to be badly wounded." "Oh, my God," said he, "I am famishing for water." I handed him the canteen which contained about five pints; he drank nearly the entire contents and handed me the canteen with a look of humble thankfulness. He was a federal soldier and apparently from some one of the New England states. He died sitting against the tree. I returned safely to the breastworks. As my mind was absorbed in my mission I gave no heed to whistling and whizzing bullets.

Nothing startling or of importance occurred after this except the tragic death of young Lloyd Tillman [*sic*], son of Gen'l Tillman [*sic*] who was killed at Baker's Creek battle. Young Tillman [*sic*] was sitting on his horse on an embankment near the railroad, a freight was pulling in slowly, when opposite young Tillman [*sic*] a shrill blast from the engine frightened the horse, he whirled suddenly, his rider was unseated and his brains knocked out against a pine tree nearby. This occurred at Morton, Miss.

1864

GEORGIA

We spent the winter at Canton, east of town. About the last of January or the first of February we broke camps, Col.

Baker having been promoted to Brig. General to succeed Gen. Moore, who was then at Dalton, Ga. Gen. Baker secured permission to take his old regiment with him and give them all a thirty day furlough. We marched through the country to Meridian, from there we went by rail to Selma, Ala., one-half of the regiment was furloughed from there. The other half was sent to Cahaba on the Alabama river to guard Federal prisoners until the first half returned. All having returned, we proceeded to Dalton under command of our former Lietu. Col. John A. Minter, now Col. Gen. Baker having preceded the regiment to Dalton to assume command of the Moore Brigade, his old regiment, 54th Ala., soon rejoined him at Dalton, Ga. Very soon after this, the memorable Georgia campaign was opened, the point of interest in the campaign was the battle of Resaca. Here my brigade and regiment suffered fearfully. My brother known to Gen. Baker for his intrepidity, was sent by the General with a message to the Commander of the skirmish line; [but] unknown to the General the [Confederate] skirmishers had been withdrawn at this point, and the enemy . . . [waited in] ambush. My brother got within forty steps of the Yankees before he discovered the mistake, and as he whirled to retreat, he was shot down. The Yankees supposing they had killed him took no further notice of him, until the next day. He was reported missing and I never knew whether he was dead or alive, until a short while before the surrender. My company (letter C) was the color company, and was in the center of the regiment, which always loses more than any other company in the regiment, by reasons of the flag whose position was in the center of Co. "C" . . . which is always the color company. In this battle our loss was fearful. Some of the best blood of the South was spilt in the battle of Resaca. G. L. Young, Elisha Cole, Dick Ferrell and four others were killed. W. C. Hadaway (my brother), Sol Kelley and twelve others were wounded.

There were many amusing incidents in time of battle and on the battlefield that would force smiles. For instance I saw a courier I suppose with orders crossing the bridge in full run when about midway of the bridge a cannon ball struck his horse, killing him instantly, but did not hurt the rider. If so, it did not impede his powers of locomotion, for he never lost the step. He kept right on in full gallop on his hands and feet until he reached the top of the hill, there he straightened up and simply

put the record for speed to shame. Whether his actions were induced by an intense desire to deliver the order or to escape the fate of his horse, I do not know; in either case he had my sympathies.

It may be stated that our retreat to Atlanta started from and after the battle of Resaca, with varied success and defeats, defeats not from a lack of courage in the Confederate soldier, for his indomitable bravery, his fortitude, his powers of endurance, his dare to do or die, have no parallel in the annals of un-civilized warfare. It was not lack of generalship, for be it said Gen. Joseph E. Johnston was second to no man on this continent or any that ever was, certainly it was not Sherman of the Federal army, nor Hood of the Confederate army. Do you say I put it too strong? Listen, when the Georgia and Atlanta campaign opened, the active field forces of the Confederate army were less than 40,000 fighting men While the Federals marshalled a force over 200,000 with vastly superior equipment. Yet, from the actions of the War Department at Richmond, Gen. Johnston was expected to annihilate Sherman's army at one fell sweep. More of this anon.

The battles of the 22nd of June and the 22nd and 23rd of July were heart-rending scenes of death and bloodshed, with picket fighting and skirmishing; being flanked by superior numbers, first our right, then our left, we could never hold the battle field and retreat was inevitable. Thus it was until we reached Atlanta. The battles of New Hope Church, noonday [*sic*] or Peach Tree Creek, Hopewell, finally Atlanta in all of these battles, never was such heroism, such reckless bravery, displayed upon the battlefield, except by the Southern soldier, I cannot refrain from mentioning one matchless act of bravery by a member of my company, whose name was Thad Lanier. He was quite a small man only 5 feet 6 inches high, weighing 124 pounds. Thad and two others were assigned to a vidette. The enemy made a heavy skirmish attack, driving in the left wing of our picket line, which uncovered the line of videttes. Lanier and his companions, not hearing the command to fall back, stuck to their vidette; one was killed, leaving the two, Lanier and Kelley. Kelley loaded and Lanier did the shooting; [after] killing and wounding six, [and] braining a seventh with the butt of his gun, [the two] made good their escape.

I have now come to deal with a question that is fraught with various degrees of opinions, but I shall approach the subject from my own viewpoint and observation. Sometime in August (I do not remember the precise date) an order from the War Department was received relieving Gen. Johnston from the Army of Tennessee, and appointing Gen. John B. Hood to succeed him. Here the death knell of the Confederate Cause was sounded, as soon as the news was confirmed. Men would gather in groups with dejected and saddened countenances as though they had received the intelligence of the death of some loved one from home. This condition was not confined to any particular regiment or brigade, but was universal throughout the army. It was perhaps true, that bitter complaints were made to the authorities at Richmond by the citizens whose homes were being devastated and property ruthlessly and wantonly destroyed by an army of cut throats, rapists, murderers of helpless old men, women and children; incendiaries, thieves of the blackest depraved character, masquarading as United States soldiers under the flag of a civilized Christian government. It is also true that such conditions would very naturally be resented by any self-respecting people, but Gen. Johnston could not be justly charged with a lack of ability, courage nor partisanship, for be it said without fear of successful contradiction he did not have a superior as a military commander on this continent; this was conceded by Gen. R. E. Lee, for when Lee was asked by President Davis to become Generalissimo of the Confederate Armies, he referred President Davis to Gen. Johnston, saying that he could not afford to accept command over Gen. Johnston. He said, "I do not consider Gen. Joseph E. Johnston as a Military Commander, second to any man living." Who was better qualified to know this than Gen. Lee? Certainly it was no one at Richmond. Did the battle of Franklin, Tenn., show the wisdom of the change? Such a reckless sacrifice of life was not enacted during the unequal struggle.

Now, I would not pluck one laurel from Gen. R. E. Lee's heroic life as a soldier, nor bedim one star in the firmament of his greatness as a military chieftain, nor cast a slur or a stigma upon his noble Christian character, and I do Gen. Lee no injustice when I say that Gen. Johnston in nobility of character and as a military genius and a patriot was the equal of any man of his day or before him. The Georgia campaign was in many

respects a marvelous exhibition of military genius and skill. It must be borne in mind that Gen. Johnston never had the advantages of his contemporaries, not even the confidential support due him at Richmond. Confronted by an enemy two-thirds greater than his own force and with all necessary equipment in extravagant abundance, Gen. Johnston with a force whose principal assets were their indomitable courage, bravery, powers of endurance, determination and implicit confidence in their beloved chieftan. Fed with less than half rations, shabbily clothed, many not having a garment with which to make a change, even had they the time to do so, building, breastworks, picketing, skirmishing, fighting when it was possible to force the enemy to fight, for it is a fact beyond dispute [that] Sherman even with his superior force would resort to a flank movement, forcing the Confederates to fall back leaving the battlefield in possession of the Yankees; thus it was from Dalton to Atlanta for five months. I will close my remarks on the Georgia campaign and the removal of Gen. Johnston by saying that the result at Franklin, Tenn., shows the style of wisdom dispensed at Richmond, Va. 1861-65 inclusive. After the battle of Franklin, Gen. Johnston was again put in command of the remnant of the Tennessee Army, [which was] demoralized, discouraged and some commands [were] without arms. Confidence was soon restored, [however], and the army fitted out for operations in North Carolina.

1865

NORTH CAROLINA

We went by rail to Augusta, Ga., thence through the country to Chesterfield, S. C., [and] from there to Raleigh, N. C.. Here I learned from an exchanged prisoner that my brother, who was reported missing at the battle of Resaca, Ga., was desperately wounded, but survived it. The next point of interest was the battle of Bentonville, N. C. March 18 and 19, 1865, Sunday and Monday. Baker's brigade was in the center of Stewart's corps. The brigade had been held in reserve, for further down the line in a skirt of woods, beyond and in front of us, was a pine thicket, on the other side of this the heat of the fight was goin on, [and] we had been ordered to lie down. It was not necessary to repeat this order, for the stray balls were thick

and very insinuating. In a few minutes a roaring in front of us—akin to a fair-sized cyclone, proved to be our own troops seeking safety in a way not taught in military tactics; they were stampeded beyond control. Well, it was laughable though the occasion was a serious one. In their pellmell haste for safety, nothing seemed to impede their flight. They tramped up on us, and as we would attempt to get up some fellow in his blind flight would run against us, upsetting our person and our calculations; they offered no apologies for their rudeness, nor did they look back to see if we were able to rise again, but sped onward with ever increasing energy and hope for safety. Well, we were rushed into action without much deliberation. The Federals had become so enraged at the fleeing "Johnny Rebs" that we killed and wounded a great many of them before we could check their mad rush. The killing and wounding was by no means unanimously in our favor, for my Captain who was right by my side about ten feet in advance of the company, fell desperately wounded in the first volley; this seem[ed] to so enrage the company, that without orders we raised a yell that echoed with revenge. The regiment followed and the charge at once became general down the line. In the charge we lost three, killed and wounded, in my company. I do not know how many the regiment lost in all; our loss was small comparatively speaking. We pushed them back some distance across a ravine to a line of breastworks.

Here we met a condition I have never been able to understand. We got within possibly fifty yards of the breastworks and everything stopped, firing had ceased, and there was not a Federal in sight. There was a double line of breastworks for a short distance to the right and left of our regiment, the ends of which circled into the main line thus forming, as we termed it, the "bull pen". Immediately in front of my regiment was a gap or opening. There was not in sight an officer above the rank of lieutenant. There we stood, not knowing whether to advance or retreat. You will pardon a personal reference here, I am sure it is not made in a spirit of braggadocio nor egotism, for I have passed through too many dangerous and risky places to boast of them now. I could see no reason why we should not advance to the breastworks, but no orders were given to advance nor retreat, so I remarked to Leut. Joe Abney, that I was going to see what was behind those breastworks. Accordingly, I

advanced to the works about twenty feet to the right of the gap or opening mentioned above; as I reached the breastworks seven Federals rose up from behind the works and threw up their hands and guns. About this time Lt. John Carpenter of Co. H and a member of his company by the name of Brooks came up and I turned the seven prisoners over to them to be carried to the rear, though they surrendered to me; up to this time no one had reached the breastworks except myself.

Immediately following this Jim Flinn, the man who made his escape on a stage plank from New Madrid, Mo., [and] who was color bearer at this time, walked through this gap spoken of into this "bull pen" about midway he stopped, planted his flag in front of him [and] looked back over his left shoulder; as he did so a minnie ball from the breastworks beyond pierced his heart, killing him instantly. I immediately jumped over the breastworks and ran to Jim, but a member of Co. E, with the advantage of about twenty steps, beat me and secured the flag. He should have gone with Flinn at first, as he was one of the color guards. A short while before this the war department had raised all color bearers to the rank of Brevet Lieut. Jim had bought some very nice Confederate gray cloth to make him a suit in keeping with his rank; this and his other personal effects I recovered. Of course this occupied several minutes, and strange to say there was not a gun fired during the time, nor was there a Federal in sight. The regiment had advanced to the breastworks, here we stood, not an officer above the rank of first lieutenant in sight, if there ever was an order to retreat or do anything else, I never heard it; in this I was not alone. In a few minutes the troops on our right began to leave; soon it became general. Lt. Joe Abney and myself only were left at the breastworks, not a soul, friend or foe, was in sight; we stood there dumb with astonishment and expenctancy. Finally without a word to me, Joe started off. Having gone about fifteen or twenty steps I called to him and asked him if he was going to leave me. He replied there was no use in staying there. His answer was not satisfactory or in line with my conception of my duty. Still I remained until he had entirely disappeared. There being no one else present nor in sight I assumed command of myself then as I had a right to do both military and civil. I started at a lively clip, but had not gone far before firing in my immediate rear and commands of "halt" were heard. I

looked back and the Federals had risen up from behind that "bull pen" as thick as black birds on a horse-lot fence. Well, a command to hurry up would have been a reflection upon my judgment as to what constitutes safety in such emergencies. I simply pulled the throttle wide open and shut my mouth to prevent the unnecessary escape of steam, and went. The bullets were whistling all around me so thick that only the protecting hand of the good Lord enabled me to escape. I had often said that the Federals had never made a bullet to kill me, nor organized an army big enough to capture me, but the situation seemed to place my boasts in the doubtful column this time. However, I made it to the ravine to which a short while before we had driven the Federals. Through this ravine with dark-looking waters ran a branch as I supposed about three or four feet wide. By this time the Federals had ceased firing, and I had reduced my speed to something like a turkey trot, reaching the branch I made as I thought a tremendous leap for the opposite bank, but to my utter disgust I landed about midway the branch in mud and water waist deep. Then there was a road running parallel with the ravine. As I emerged from the bushes I met Gen. Stewart. Our meeting had not been previously arranged, but seemed to amuse the General none the less. Viewing my bedraggled and drenched appearance [from] horseback no doubt was very amusing, and very ludicrous. I asked the general if he could tell me where Baker's brigade was, "Bless you my boy", said he, "I do not know where anybody is," but advised me to go to the field hospital and stay until morning. It was then some bit after sunset.

I will go back to Lt. Abney and tell what became of him and five hundred others with four stands of colors. In leaving the breastworks they went southeast, when they should have gone northwest, which was the same route that we came in, the route to the southeast led them into the Federal lines. They realized this too late to retrace the route already gone over, thus they were forced to march all night and the next day [until] 12 o'clock, thereby flanking the entire Federal army. The boys told a very interesting story of their escape. The next day, [that is] the same day the boys got back from their flanking movement, we were discussing the battle of the day before and its results. Gen. Baker was present, John Carpenter, the lieutenant to whom I turned over the prisoners was present also.

After a while Gen. Baker turned to Carpenter saying "I understand Lt. you captured seven of the Blue Coats" dropping his eyes down and with a sickly contemptible grin in a low tone almost inaudible Lt. Carpenter replied "Yes Sir" and looked at me. Lt. Abney, sitting by me, slapped me on the shoulder, [and] remarked as he did so "this is the boy, General, that captured those seven Yankees, for I was an eye witness to it."

Well, about three o'clock that afternoon it was reported that Gen. Blair with the 17th Army Corps was executing a flanking movement on our left. Gen. Wheeler was holding them in check, and was being hard pressed. Gen. Baker with his brigade was ordered to the rescue. This meant a double quick movement and a hard fight. It commenced to rain on us soon after we started, and continued until near the scene of action. We were soon put in line of battle at the base of an open piney woods ridge. We hastily ascended the slope of the ridge; descending the ridge on the south side, we engaged the enemy, driving them back some distance. [As] night came on the enemy withdrew defeated, leaving the Confederates masters of the situation for the time being at least. We fell back to the top of the ridge, where with old pine logs, chunks and such else as we could get, we built something like videttes to protect us from stray balls. This was absolutely the last battle of the Tennessee Army—also known as Johnston's Army.

About two o'clock at night, March 21 (it being past midnight), 1865, the Tennessee Army made the last retreat from the front of the Federal army to a point north of Smithfield Station, Johnston County, North Carolina. Here the army was consolidated, regiments were reduced to companies, brigades to regiments and so on throughout the army. The 54th Alabama was reduced to one company with about 100 rank and file, less than my company had when the regiment was organized in November, 1861. . . . from November, 1861, to April, 1865, the regiment lost about 1200 men, including killed in battle, death from wounds and sickness, and missing. The brigade at the time of its consolidation was composed of the 37th, 40th, 42nd, and 54th Alabama regiments. The 37th, 40th and 54th were consolidated and composed the 37th Alabama as consolidated. The field officers of the 54th were all retained, John A. Minter, Col.; I. H. Shackelford, Lt. Col.; John A. Abney promoted to Captain. All officers of the old company were re-

tained with some promotions from ranks, your humble servant being one thus honored. The old Company letter C was retained also.

About this time we received the official announcement of Genl. Lee's surrender. This information caused no very great surprise for it had been fully realized ever since the day it was officially announced in front of Atlanta that Gen. Johnston had been relieved of the command of the Army of Tennessee that it was only a question of time, not very far in the future, when the Confederate armies north and south would collapse. In fact, it had been patent to every observant mind from the day Vicksburg surrendered that every Confederate soldier killed was a hopeless and a cruel sacrifice. With the Mississippi River absolutely in the possession of the Federals from Cairo to New Orleans and none daring to molest or make them afraid, what else could be looked forward to or expected? With the reorganization of the army completed, we broke camps for the last time, and took up a line of march for Greensboro, N. C. Nothing of importance occurred during the trip. Arriving at Greensboro, WE BIVOUACKED FOR THE LAST TIME as an organized army. A report became current that Gen. Johnston was going to cut his way out. Of course such a thing was absurd, but the report had its effect on some of the troops, notably some of the N. C. troops, who it was said, were deserting. I know this much of the report to be true, however; I was strolling around town late one evening when passing a large residence, I noticed a group of soldiers in front of the house and someone on the veranda of the second story who seemed to be making a speech. My curiosity led me to step inside and hear what was being said; I learned that the soldiers were N. C. troops and the man making the speech was Gen. Vance. I learned from the General's remarks that the N. C. troops were disbanding and going home, and he was urging them to desist from such disgraceful conduct, that an armistice had been agreed upon and negotiations for peace had been entered into, and peace would be declared at the expiration of the armistice. I did not stay to hear anything more, but hied to camp and related what I had seen and heard. Capt. Abney and myself went through camps spreading the news.

In a few days it was officially announced that Gen. Johnston had surrendered. Thus the 26th day of April, 1865, closed the

organized existence of the Tennessee Army. The battle flag of the 54th Alabama regiment was never surrendered, it was literally honeycombed with bullet holes, and was finally torn into small pieces and divided up among the boys, each getting a piece. I have a piece of it at this time that I cherish as a sacred memento. I will now close by saying that I served the State of Alabama, my native state, as a volunteer Confederate soldier willingly and faithfully, in victory, in defeat, in hunger, in cold and heat, scantily clothed, in prosperity and adversity, with loyalty and honor as a patriot, and with the fidelity and cheerfulness of a true soldier, from the 10th of August, 1861, to April 25, 1865. I was never wounded, nor a prisoner, and to this good day I have no apology to offer to any man for the part I took and the services I rendered.

BOOK REVIEWS

Letters From Alabama, 1817-1822. By Anne Newport Royall, Biographical Introduction and Notes by Lucille Griffith. University, Alabama: University of Alabama Press, 1969. Southern Historical Publications No. 14. Pp. 292. \$7.50.

Ann Newport Royall (1769-1854) was one of the first writers with something of a national reputation to publish accounts of life and travel in what is now the state of Alabama. She arrived in Alabama for the first time in December, 1817 and traveled around the state for about five years, chiefly in the Tennessee Valley, ending her sojourn in Alabama in July, 1823. Almost all of the remaining thirty-one years of her life are associated with the nation's capital where she made her reputation as a writer of travel books and as editor of the weekly newspapers *Paul Pry* (1831-1836) and *The Huntress* (1836-1854).

In all, Mrs. Royall published eleven volumes in a period of about five years (1826-1831), and except for the opening pages of her first book, *Sketches of History, Life and Manners in the United States* (1826), only *Letters From Alabama* deals at length with the life and conditions in this state. *Letters* was the eighth of her published volumes, but is based on material gathered during her travels in the Alabama Territory and the State of Alabama between 1817 and 1822.

Letters From Alabama, originally published in 1830, is completely reset in this new edition. The book contains fifty letters, the first fourteen of which were written in Virginia, Kentucky, and Tennessee before Mrs. Royall arrived in Huntsville, Alabama, on Christmas Eve, 1817. For students of life on the American frontier the letters give extremely valuable accounts of customs, travel conditions, roadside accommodations, and religious and political attitudes of the people of the back-country. In addition, Mrs. Royall described in detail the varieties of soil, of the forests, and of the crops throughout the region she traveled.

Mrs. Royall had come to Alabama a wealthy widow, but after the successful contest of her husband's will by his lateral

relatives, she was left, at the age of fifty-four, penniless. Fighting poverty, ill health, and old age, Mrs. Royall earned a livelihood through her writings for the ensuing thirty years of her life, first as an author of travel books and later as a journalist in Washington, D. C.

Mrs. Royall's life is more fascinating than anything she ever wrote, and Professor Griffith has performed a great service by including a biographical essay together with extensive annotations and a very useful index to her edition of *Letters From Alabama*.

Those interested in a very readable glimpse of life in early Alabama and scholars interested in the social history of the American frontier will find *Letters From Alabama* a valuable contribution to Alabamiana.

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The Debate Over Slavery: Stanley Elkins and his critics.
Edited by Ann J. Lane. (Urbana: University of Illinois Press, 1971. Pp. 378, \$8.95.)

This is a collection of fourteen essays, all of which except for Stanley Elkin's rejoinder, are reprinted from earlier publications. The editor Ann J. Lane succeeds substantially in presenting a coherent critique of one of the most controversial renditions of the slave experience in the Americas.

Elkins, as Professor Lane notes, forced the discussion of the slave system in this country to be examined within the larger view of slavery in the Caribbean and Latin-America. He extended disciplines, as well as geography, by utilizing tools of sociology, psychology, and anthropology. Another important achievement of *Slavery* was its timeliness. Published in 1959 at the inception of the civil rights-black awareness movements, the book was soon embroiled in polemics.

Essentially Elkins developed three propositions in his quest to "alter the traditional ways in which slavery in the United States was viewed." Borrowing from his mentor Frank Tan-

nenbaum, author of *Slave and Citizen in the Americas*, Elkins contrasted the Portugese slave system in Brazil with American slavery. He concluded that in Catholic Brazil canon law required that the humanity of the slave be preserved and the bondsman afforded numerous opportunities for manumission. Iberian slavery, he held, also reflected a relative lack of racism. Thus, one of the most rigidly fixed class structures in the western world provided a framework which respected the dignity of the slave. Conversely, North American slavery became a closed, dehumanizing institution within the context of a "liberal, Protestant, secularized, capitalist culture. There was nothing here to prevent unmitigated capitalism from becoming unmitigated slavery", rationalized and characterized by a vitriolic and paternalistic racism.

The editor furnishes four appraisals of the hemispheric argument. David Brion Davis in "The Continuing Contradiction of Slavery: A Comparison of British America and Latin-America", contends that there were large gaps between the legal status of the slave in Brazil and the actual working of the institution. Physical brutality and racism, contrary to church law was a dominant feature of the Brazillian arrangement. However, Herbert Klein, in "Anglicanism, Catholicism, and the Negro slave", finds that theory and practice in Cuba were one. The Catholic church effectively protected the African whereas the Anglican church in Virginia represented, for the most part, the values of the slaveholders resulting in the almost complete exploitation of the bondsman. In "The Myth of the Friendly Master," Marvin Harris examines the machinations of Latin-American slave-masters and finds that the friendly master was largely a fiction. Professor Lane includes Orlando Patterson's effort on Jamaica in the section on the compatative slave systems, but Patterson's monograph really belongs with the slavery-personality critiques. Unfortunately, the editor did not incorporate Carl Degler's "Slavery in Brazil and the United States: An Essay in Comparative History," published in *The American Historical Review* Vol. LXXV, April, 1970.

What has proved to be the most contentious dimension of Elkins' *Slavery* is the concentration camp-slavery analogue. Like the Nazi detention centers American slavery systematically stripped the dignity of the inmates leaving them almost infan-

tile. There were no institutions in America dedicated to cushioning the effects of slavery. Therefore, the camp and the plantation produced a docilized personality—a servile victim easy to manage. As previously cited, in Latin-America the Catholic church through canon law prevented de-humanization. Interestingly, Orlando Patterson in "Quashee" says the "boy-uncle" was a significant feature of Jamacian slavery.

The response to the docile slave interpretation has mirrored the rediscovery of our Afro-American past. Social Scientists have attacked the "sambo-uncle Tom" variant by emphasizing the slave's resistance to oppression. Eugene Genovese's "American Slaves and their History" and Roy Simon Bryce-Laporte's "Slaves as inmates, Slaves as men: A Sociological discussion of Elkin's thesis" provide two provocative replies. Both historians argue that Elkins over-generalized Negro behavior. Manifestly slave conduct was diverse. Bondsmen led two lives. They "shuffled" for the master and walked erect in the slave shacks. The master probably saw what the Africans wanted him to see. Also, Genovese and Bryce-Laporte enumerate other examples of slave-recalcitrance; running away, individual acts of violence, development of a distinctive Afro-American culture. Bryce-Laporte maintains "the fact is that they were all ambivalent and allegorical self-and group-asserting actions and thus subversive of the plantation system even if they were also partially legitimate." A perceptive account missing from this segment is Henry Allen Bullock's "A hidden passage in the Slave regime" in *The Black Experience in America* edited by James C. Curtis and Lewis L. Gould.

The role of the Abolitionists as developed in *Slavery* has proven to be the least controversial aspect of Elkins' analysis. Aileen S. Kraditor's "A note on Elkins and the Abolitionists" is the only work offered on this subject.

In "Slavery and Ideology", especially written for this collection, Stanley Elkins examines the numerous criticisms that *Slavery* has engendered. He recommends that the argument be moved to another plane entirely—the role of ideology. What were the ideological dynamics that buttressed and weakened the slave societies of the western hemisphere?

Ann J. Lane should be commended for preparing a trenchant review on a subject that will, for some time to come, cause debate.

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William N. Still, Jr. *Iron Afloat*. (Nashville, Vanderbilt University Press, 1971. Pp. 260 illustrated. \$10.00)

In *Iron Afloat* William N. Still, Jr., has recounted the most adventurous and at the same time the most frustrating episodes in the history of the Confederate Navy. It was on the ironclad that the hopes of the Confederate Navy chiefly rested, and the imagination of the Southern public was aroused by the prospect of an ironclad fleet that would steam out of its rivers and harbors and break the blockade. As it unfolded, the history of the Confederate armorclad took a different course than that which Southern hopes reflected.

Dr. Still devotes the early chapters of his book to an account of how the armorclad program came into being. Early in the war Secretary of the Navy Mallory and his commanders realized that the South's best hopes lay in the construction of ironclad vessels. Initially they were designed to break the blockade, but as the war progressed they were devoted more and more to harbor and river defense.

The book fully treats the frustrating delays which accompanied efforts to build a fleet of armorclads. Of the fifty armorclads that were laid down during the war, only twenty-two were ever commissioned. Builders were plagued by severe labor shortages, since most of the seamen and mechanics in the Confederacy were taken into the army and army commanders were reluctant to release them for naval service. The scarcity of iron was another problem, for the South had few foundries capable of rolling plate and iron was in short supply. Even when iron was available, transportation was not to be had. At one point, it took a direct Presidential order to free flat cars for the transportation of iron. Machinery from old tugs and river steamers was unreliable. As the war wore on, nails were

in short supply, and there was a shortage of seasoned timber for ship construction.

Despite the delays and frustrations, there were high points of action in the history of the armorclad. In prose as absorbing as fiction, Dr. Still relates the action of such vessels as the *Virginia* at Hampton Roads, the *Arkansas* in the Mississippi River, the *Atlanta* in Savannah harbor, and the *Albemarle* off Wilmington. Nor does he neglect the history of the men who commanded and fought on the Confederate armorclads. Using letters and diaries, he adds considerable color to his narrative.

Iron Afloat clarifies several questions relating to the armorclad. For one thing, Dr. Still makes it clear that the armorclad after the first of the war was destined for river and harbor defense. In this effort they enjoyed a fair amount of success. He also points out that although many of the craft were make-shift vessels they had a powerful psychological effect upon the blockading fleets.

Everywhere apparent in the book is the author's extensive and careful research. The bibliographical essay which concludes the work should be helpful to other scholars in that it locates and describes many documents having to do with the Confederate Navy.

Aside from J. T. Scharf's contemporary and now antiquated account, there is no comprehensive history of the Confederate Navy. Dr. Still's book has filled a real need with its thorough treatment of the most significant chapter in Confederate naval history.

William N. Still, Jr. *Confederate Shipbuilding*. (Athens, University of Georgia Press, 1969. Pp. 110. \$3.00.)

Prior to William N. Still's *Confederate Shipbuilding*, historians had generally held that the Confederacy lacked the means of constructing a navy. In his brief study of the subject, Dr. Still assembles enough facts to dispel such a theory.

Rather than treating chronologically the history of Confederate efforts to build a navy, the author divides his study

into chapters dealing with various aspects of shipbuilding: the program, facilities, materials, and labor.

The history Dr. Still relates is hardly a success story. To begin with, the naval building program got off to a false start, concentrating on small river steamers before it was realized after Hampton Roads that the armorclad represented the best potential. As coastal areas fell under attack, it was necessary to move building facilities inland. Thereafter the builders were hampered by the fact that all of the means to build a ship were not concentrated in one place. Iron had to be obtained from one city, ordnance from another, timber from still another. This decentralization was complicated by the army's demand for priority on the railroads. Procuring labor was a constant problem as was obtaining materials. Of the 150 war ships laid down during the war, less than a third ever became operational.

At two points in his book Dr. Still refers to Safford County, Georgia, and to Safford. This should read Saffold, an installation in Early County, Georgia, where the steamer *Chattahoochee* was built.

In many places the wording in *Confederate Shipbuilding* is identical to that in *Iron Afloat*, for the two books overlap in many areas. It is an interesting and useful study, however, which adds greatly to our knowledge of the Confederate Navy.

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Emory M. Thomas. *The Confederate State of Richmond. A Biography of the Capital.* (Austin, University of Texas Press, 1971, Pp. x, 227. Illustrated. \$6.75.)

Twenty-five years ago, A. H. Bill narrated the experience of the capital of the Confederate States of America as *The Beleaguered City*. Now, Emory Thomas has completed a far better account of the same period of the Virginia city's history, in a much shorter space. Students of urban history should read this volume carefully, for it offers much to anyone who contemplates a study of a city in crisis.

Obviously, this author determined to interpret this story as he wrote it, and thus, he identifies Richmond with the Confederate States of America. Finally, he concluded that most Southerners came to identify their own fate with that of the capital. From the first pages of background and summary of the ante-bellum city with whiggish leadership, the thoroughness of the author's research is evident. Through each of the four "Parts" of this writing: "Seat of Government," "Shell and Be Damned," "Revolutionized City," and "Final Illness," this identity of city with nation and vice versa becomes more evident. Eagerly, the small city welcomed the Confederate Government to the banks of the James and accepted the apparent honor of the seat of power. Like the CSA executives, few Richmonders seemed to realize that this would make them the primary target for four lingering years of death and eventual destruction. Like their neighbors elsewhere in Dixie, these Virginians were enthusiastic and confident.

Quickly, the city fathers rallied the populace behind the gray troops and cheered Jefferson Davis and his associates. At first the people did not mind what they assumed would be brief interruptions of life and pleasure by the conflict. Mayor Joseph Mayo and his associates in the municipal government labored valiantly, and often skillfully, to preserve their municipal authority from the encroachments of both state and national needs in the urgency of crisis. The pages which describe their efforts at city finance and taxation, municipal services and public charity, may be the most valuable of this book. Few cities have endured such a close proximity to the battlefield for four years, and thus offer so sure an opportunity to study the effects of encroaching military power and increasing executive authority upon a mass of urban citizens.

Everything that Mayor Mayo and his colleagues attempted became increasingly difficult as the war continued. Most obvious was the dreary pressure of rampant inflation which became a particularly heavy burden upon the capital and its inhabitants. Gradually, even the financial solvency of the city government was in danger. Similarly, the account of the effects of the war upon the average citizen is well presented. The traditional social life could not be continued, but these once-gay people tried to dance away their sorrows and buoy the spirits of

the soldiers who so often were in their midst — and perhaps to encourage the civilians as well. The enthusiasm of these people was intensely durable. Like many other Confederates they maintained their confidence in the Army of Northern Virginia almost until the fall of the city. Not until late in 1864 or early the following year, did Thomas find evidence of fading morale. Apparently, the continuing shortages, constant Union military pressure, and the heavy pall of death, eroded their hopes. Even near the end, they managed to profess their public confidence in victory, but privately they were beginning to doubt that Lee's dwindling companies would withstand the apparently endless Yankee hordes.

While the entire book reflects careful research and patient phrasing, the last "Part" is unusually well written. The author has managed to portray vividly the plight of the city as defeat loomed on the horizon. While these people once had been able to confront the enemy with both confidence and strength in the fields east of the city in the spring of 1862, by the first weeks of 1865, only pride kept the troops in the trenches around the besieged capital. But even their stomachs were uneasy from the effects of hunger and fear. Finally, Lee's lines could extend no more and the city fell — and soon the CSA — thus uniting the capital and the once-independent South in defeat.

This work should encourage other students of urban history. While students of the Civil War should add it to their collections, it deserves credit also as a worthy addition to a growing list of studies of the urban South. It is based upon a wealth of materials, particularly Richmond newspapers of the war years. In addition a large number of published diaries and reminiscences support the contemporary accounts of the journalists. Unfortunately, Thomas could find few manuscript collections of letters from wartime Richmond, but the few he located were particularly useful. He was able to use the complete file of City Council Minutes, as well as the Personal Property Tax Books and Real Estate Tax Books. These primary works, plus such varied sources as Federal prisoners' recollections of the city and travel accounts have contributed to this balanced work. Finally, the author's obvious knowledge and understanding of the city add much to the quality of the work.

The text is unusually free from error, either in fact or typography. A fine map locates important wartime sites and is unusually legible. A pictorial section, which includes most of the important wartime celebrities of Richmond and some contemporary drawings and photographs, enhances the work, as does the brief bibliographical essay, and a complete listing of works used. Finally, in an age of escalating prices it should be noted that this book is not beyond the means of most readers.

Other students of Southern history should consider studies of other important cities in Dixie. Some works have been completed of Memphis, Nashville, Houston, and New Orleans, but perhaps this segment of the section's past has been neglected. Scholars of Alabama history might well consider thorough studies of Birmingham, Montgomery and Mobile.

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THE ALABAMA HISTORICAL QUARTERLY



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I N D E X

1972

—A—

Abernethy, Thomas P.....	97
Abolition	240
Adams, Herbert Baxter	159
Adams, S. M.	136, 137, 145, 152
Agricultural Reform in the South — 1837-1839	5-35
<i>Alabama Alliance News</i> , Carrollton	147
Alabama Anthropological Society	169
Alabama and Chattanooga Railroad	38
Alabama Capitol Building Commission	167
Alabama, Chattanooga & Coosa Railroad	56
Alabama Constitution of 1901	151

Alabama Constitutional Convention of 1901

See: Constitutional Convention of 1901

Alabama Education Association, Montgomery Branch of	169
Alabama Folk Lore Society	169
Alabama Great Southern Railroad	38
Alabama Historical Society	157, 159-166, 168
Alabama History Commission — 1899	163-165
Alabama Library Association	169
Alabama Manufacturing Company — Selma	77
Alabama Mill Town	5-35
Alabama Mining & Manufacturing Company	79
Alabama Polytechnic Institute at Auburn	166
Alabama Populists	141, 142, 144
Alabama Roofing Slate Company	77
Alabama State Fairgrounds	207

A la Poursuite Des Aigles

See: Napoleon's Soldiers in America

Alabama, University of	10, 155, 156, 158, 163, 169
Alabama Women of the Ku Klux Klan	215
Alexander, M. W.	217
American Historical Association	157
Anderson, J. N.	64, 67, 77
Anti-fusion Populists	137, 144
Archives and History, Alabama Department of	155-170
<i>Atlas of Alabama</i>	243, 244
Autauga Southern Rights Union	17
Autaugaville Cotton Factory	13
Avery, T. B.	23

—B—

Bagby, Arthur P. (Governor)	126
Baldwin, Joseph G.	117
“Bank of Augusta v Earle: Corporate Growth v States’ Rights”	113-130
Bank of the United States	113
Bankhead Family	175
Bankhead, John H.	156
John H. (Jr.)	225
Marie	156, 169
William B.	204

Banks and Banking	14-15
See also: Bank of the United States	
Second Bank of the United States	
Barbour County	162
Barclay, Thomas C.	39
Bartram Natural History Society of Alabama	169
Baton Rouge, Louisiana	106, 107, 236
Battle, Alfred	39, 53, 64
Baxter, Maurice G.	123
Beard, Arthur C.	39
Charles	125, 127, 128
Beard's Bluff and Elyton Railroad	84
Beauregard, P. G. [T.]	97
Bell-Everett Union Ticket	34
Benton County Iron Works	77
<i>Bernardo de Galvez in Louisiana, 1776-1783</i>	235-237
Bessemer, Alabama	155, 156
Bibb County	137
Bill of Rights	175
Birmingham, Alabama	137, 146, 206-227
Birmingham <i>Age Herald</i> See also: <i>State Herald</i>	133, 134
Birmingham Bar Association	210
Birmingham <i>News</i>	166
<i>Birth of a Nation</i>	99
Black, Hugo L.	174-176, 209, 212, 220
Bloodworth, Lloyd P. (Dr.)	212
Bonaparte, Napoleon	237, 238
Bonapartists	238
Bonet, Juan Bautista	109
Bonner, James C.	29
Bon Secour	111
Borgne (lake in Louisiana)	106
Bowman, P. G.	136
Brandon, William W.	161, 212
Brent, Charles H.	181
Brewster <i>News</i>	147
Broude, Henry W.	119
Brown, James A.	194
Brown Range Life Series	96, 97
Bruchey, Stuart	125, 127, 129
Brunson, B. R.	96-97

Bryan, William Jennings	131, 132, 141, 143, 144
Buckner, Simon B.	144
Burr, Aaron	124
Butler County	171
Byrd, Harry F.	194, 205

—C—

Calhoun, E. R.	147
Callender, Guy S.	118
Calloway, Jeff	221
Cape San Blas	110
Carpetbaggers	240
Carrollton <i>Alabama Alliance News</i>	147
Cartwright, Ida (Miss)	217
Cash, W. J.	29
Castillo	107
Caughey, John Walton	235, 236, 237
Cavazzoni, Stefano	191
Chadwick, R. E.	218
Charleston & Chattanooga Railroad Company	41, 53, 55
Chattanooga Klan Bank	211
Chattanooga Valley Company	61
Cherokee Plankroad Company	41
Civil Rights	174
Clarke, Edward Y.	208, 209
Richard H.	132, 134, 135
Clayton, Henry D.	133
Clement, Alfred	39
Cleveland, Grover (President)	132
Cloe, W. B.	217
Cloud, Noah B.	26
Colescott, James A.	227
Collier, Henry W. (Governor)	9
Collier, J. J.	39
Colman, Louis	226
Comer, Braxton Bragg (Governor)	152
Comity Cases	113, 128
Confederate History Club of Montgomery	169
Confederate States	173
Constitutional Convention of 1867	241

Constitutional Convention of 1901	145-148, 151, 198-200
Cook, George	22, 25
Coolidge, Calvin (President)	185, 194
Cotton	5-35
Cotton Gin, Pratt's	10-35
Cotton Mills	12-35
Coyle, James E.	208, 209
Crawford, William (Dr.)	228
Creswell, Samuel L.	39
Croxton, John (General)	38
Crowe, Gratton B.	137, 138, 145, 152
Culpepper County, Virginia	121
Curry, J. L. M.	168
Curtis, Charles	194

—D—

"Daniel Pratt's Industrial Urbanism: The Cotton Mill Town in Ante-Bellum Alabama"	5-35
Dauphin Island	109, 111
Davenport, F. Garvin (Jr.)	99-100
Davis, James "Cyclone"	142
James Was.	45, 51
John P.	119
John W.	185, 197
Reuben	244, 245, 246
William C.	161
Deans, George B.	137, 141, 144
Dearing, A. B.	39, 53, 64
James H.	39, 64
DeBow, J. D. B.	5, 20, 21, 22, 24
de Evia, Jose	105-112
de Galvez, Bernardo (General)	107, 109, 111, 235, 236, 237
Delery, Simone de la Souchere	237, 238
Democratic Party	131, 134, 138-149, 151, 152, 173, 174
Democratic-Populist, semi-fusion	142
Democratic State Convention, 1899	146, 148
Democratic State Executive Committee, 1896	134, 146
Demopolis, Alabama	238
de Riano, Juan (Ensign)	108

de Unzaga y Amezaga, Luis (Governor)	106
DeWitt, E. D.	221
d'Iberville, Pierre LeMoyne, Sieur	111
Disfranchisement	131, 145-152
Disfranchising Constitution	150
"The Disruption of the Solid South"	172-174
Dixon, Thomas	99
Dog River (Los Perros)	111
Drake, Francis (Sir)	234, 235
Draper, Lyman	157
Draughon, Ralph B. (Jr.)	239
Durnford, Elias (Captain)	107, 109
Dyer, Edwin (Rev.)	41, 48, 53, 68

—E—

Earle, Joseph	113-130
East Tennessee & Georgia Company [Railroad]	58, 61
Economics, Southern — 1837-1859	5-35
Eisenhower, Dwight D.	173
Ellis, A. D. (Dr.)	220
Washington	27
Emancipation	239, 240, 241
Ensley Klan	213
"Equalize Negro Rights"	201
Esdale, James	211, 215, 220, 224, 225
Evans, Hiram	211, 220, 224, 226, 227
<i>Exposition of the Advantages and Prospects of the</i> <i>Northeast and Southwest Alabama Railroad</i>	38

—F—

Fair, John D.	235
[The] Falls (El Salto)	111
Farmers' Alliance	131
Faulkner, William	100
Federalists	115, 123
<i>First Freedom: The Responses of Alabama's Blacks</i> <i>to Emancipation and Reconstruction</i>	239-241
Fish River	111
Flock, Mary Margaret	95

Florida Keys	110
Florida, West See: West Florida	
Ford, Henry	189
Fort Bute de Manchac	106
Fort Charlotte	109, 237
Fort Morgan State Park	109
Fort, William E.	209
Foster, William	80
Fowl River (Gallinas)	111
<i>Francis Drake, Privateer</i>	234-235
"The Franco-Texas Land Company"	97-99
Free Silver	138, 139, 142-144, 146
Free Silver Democrats	131, 133-135, 139, 142-144, 146
Free Silver Republicans	138
Freedmen's Bureau	241
Freeman, Jack	210
Fremont, John C.	97-98
Frey, George	220
Fulton, W. L.	39
Fusion	131, 136, 137, 138, 140
<i>"Fusion, Confusion, Defeat, and Disfranchisement: The 'Fadeout of Populism in Alabama' "</i>	131-153

—G—

Gadsden, Alabama	144
Gainesville <i>Independent</i>	81
Gainsville and Mississippi Railroad Company	44
Gainsville and Narkeetah Railroad Company	44
Garland, Landon Cabell	37-94
Garland, Mary Lightfoot	37-94
Garner, John Nance	95
Garrett, William	117, 123
Gauld, George	110
Gayle, John (Governor)	228, 232
Sarah Haynesworth	228, 231, 232, 233
Geneva Center of International Relations	191, 192
Genovese, Eugene	34
Geology in Alabama — 1853	37
Georgia and Alabama Petroleum Mining and Manufacturing Company	44

German Coast of the Mississippi [River]	107
Gettysburg, Pennsylvania	194, 195, 197, 204
Gilpin [a Mister]	126
Gindrat, J[ohn] H.	68
Glenn, Allie	95
Gold Democrats	144
Gold Standard	132
Goldwater, Barry	173
Goodwyn, Albert T.	136-140, 142-144
Gorman, Arthur P.	202
Gowdy, Samuel L.	39
<i>Grande Armee</i>	238
Grandfather Clause	149, 199
Graves, Bibb (Governor)	220
John Temple	199
Green, Fletcher M.	238, 239
Greene County	161
Gregg, William	5, 9, 20
Griffith, D. W.	99
William	41
Griswold, Samuel	10
<i>Gulf States Historical Journal</i>	169
Gunter, Charles G.	68
Gussman, Pedro	208

—H—

Hackney, Sheldon	153
Hague Conventions of 1912 and 1914	186
Haines, Charles G.	128
Hair, James	39
Hakluyt Society	234, 235
Hale, Gardner	18
Hamilton, Virginia Van der Veer	174-176
Hammond, Bray	118, 127, 128
James	5
Hampden, John	234, 235
Handlin, Oscar and Mary	119
Hanson, Victor	221
Harbison, Winfred A.	129
Harding, Warren G. (President)	209

Harrell, David Edwin (Jr.)	241, 242, 243
Harris, Crampton	209
Harrison, C. E.	218
Hartz, Louis	118
Harwell, T. C.	219
Harwood, Bernard	161
Hawkins, John	234
Samuel	64
Hayes, Rutherford B. (President)	173, 174
Haynie, W. D.	219
Heflin, James Thomas	198-200, 224
Henderson, Gerard C.	125
Hendrix, James	39
Hilliard, James H.	219
History Commission	
See: Alabama History Commission — 1899	
Hoar, George Frisby	194
Hobson, A. S.	136
Richmond P.	161, 181-193
Holbrook, Winfield	96
Holmes, Jack D. L.	105-112, 236
Holt, Hines	41, 53
Rebecca Agnew	37-94
Thaddeus G. (Judge)	41, 53
William White (Judge)	41, 53
Hoover, Herbert (President)	194
Hotalen, Earl (Dr.)	214
Howard, Milford W.	132, 136, 137, 141, 143, 144
Hughes, Charles Evans (Justice)	186
J. Slater	25
Mary Adams	228
<i>Hugo Black: The Alabama Years</i>	174-176
Huntsville, Alabama	121
Hurst, J. Willard	129

—I—

<i>I'll Take My Stand</i>	99
Imperial Wizard	207, 211
Industrial Reform	5-35
Industrial Urbanism	5-35

Ingersoll, Charles Jared	114, 122, 123
International Conference on Narcotics	192
International Narcotics Education Association	184, 187, 188, 190
Interparliamentary Union	189
Invisible Empire	207, 212, 220
Israel, W. W.	219

—J—

Jackaway, J. G.	80
Jackson, Andrew (President)	124
Jackson's Bank War	123
Jacksonville, Williamson and Anniston Railroad Company	86
Jameson, J. Franklin	159
Jefferson County	175
Jefferson County Democratic Executive Committee	156
Jeffersonian Democrats See: Kolbites	
Jelks, William Dorsey (Governor)	166
Jemison, Robert (Jr.)	47, 56
Jim Crow	99, 202
Johnson, Lyndon B. (President)	194, 205
Johnston, Joseph F. (Governor)	131, 133-136, 140, 142, 143, 146, 148, 150, 152, 163
Johnston, Mary Tabb	228-233
Jones, Miriam C.	244
Thomas G. (Governor)	139, 162, 166
Jonesboro, Alabama	155
"Jose De Evia and His Activities in Mobile, 1780-1784"	105-112
Junior Klan	215

—K—

KKK See: Ku Klux Klan	
Kamelias, [Knights of the]	215
Keith, M. C.	97
Kelly, Alfred H.	129
Kennedyphobia	173

Key, Francis Scott	228
King, Martin Luther (Jr.)	100
William R.	228
Knights of the Ku Klux Klan See: Ku Klux Klan	
Kolb, Reuben F.	131, 135-138, 140-142, 144, 152
Kolbites	135
Kolchin, Peter	239, 240, 241
Kornegay, Margaret	228
Ku Klux Klan	171, 175, 206-227

—L—

Labor Class, White	11-35
Labor Force, Racially Mixed	25-35
Lamar Memorial Lecture Series	172
Lance, L. E.	211
Land Development and Promotion — Texas, 1876	97-98
Land Development and Promotion — Texas, 1912	96-97
“Landon Cabell Garland’s Letter Book While President of the North East & South West Alabama Rail- road Company”	37-94
Lane, Lottie	95
Lansing, Robert	188
League of Nations	182, 186, 190, 191, 192
Lederer, Norman	243
LeMoyne, Pierre, Sieur d’Iberville See: d’Iberville, Pierre LeMoyne, Sieur	
Lewis, Samuel S.	232
Liberal and Restrictive Theories of Corporations	114, 128
Library of Congress	156, 168
Lilly, Josiah K.	189
Linden, Fabian	29
Lineback, Neal G.	243, 244
Lively, Robert	119
Livingston, Alabama	172
Locke, Hugh A.	219
Longaker, Richard P.	124
Longworth, Nicholas	188
Los Perros River	111
Louisiana Coast Guard	112
Lowndes County	150

<i>Lusitania</i> , U. S. S.	7
Lyell, Charles	7

—M—

Macon County Railroad Company	80
Madison, James (President)	123
Mage, Raymond	191, 192
Magnolia Grove	183
Manning, J. C.	141
Manufacturers, Southern	5-35
Manufacturing Villages	11-35
Marion County	161
Marshall, John (Chief Justice)	124
T. A.	49, 87
Thomas R.	211
Martin, J. F.	89
Luther	124
"Masked Men in the Magic City: Activities of the Revised Klan in Birmingham, 1916-1940"	206-227
Massacre Island	111
Maurepas (Lake)	106
Maxwell, Thomas	39
Thomas and Company	45
McAdory, James	39
McAlpine, Solomon	39, 64
McCall, Charles C.	220, 223
McCorvey, Thomas C.	158
McDuffie, John	95
McGill, Ralph	227
McKinley, John (Justice)	113, 121, 123, 125, 126, 127
McKinley, William (President)	136, 144
McRae, John W.	39
Meek, A. B.	230-233
Memorial Day	194, 195, 203, 204
Memphis, El Paso and Pacific Railroad Company	98
Mercer University, Macon, Georgia	172
Meriwether, Colyer	157
Frederick	39
Merrimac	183
Migration	7

Miller, Arthur S.	125, 127, 129
Benjamin M. (Governor)	225, 226
Randall M.	5
Mims, Shadrach	18, 22, 25, 26
Mineral Discoveries — Alabama	37
Mississippi, State of	244-246
Mississippi Valley Historical Association	169
Mobile, Alabama	105-112, 113, 117, 123, 132, 236
Mobile Bay	110, 111
Mobile <i>Herald & Tribune</i>	8
Mobile & Ohio Railroad Company	45, 49, 93
Mobile <i>Register</i>	8, 134, 135, 139, 140, 149
Monkkonen, Eric	113-130
Montgomery, Alabama	137, 148, 168
Montgomery <i>Advertiser</i>	134, 135, 138, 139, 144, 149, 160, 161, 166
Montgomery Alabama <i>Journal</i>	7, 9, 16
Montgomery <i>Atlas</i>	16
Montgomery <i>Daily Confederation</i>	13
Montgomery <i>Independent</i>	8
Montgomery <i>Journal</i>	165
Montgomery and Selma Railroad Company	68
Montgomery <i>Tri-Weekly Flag & Advertiser</i>	9, 15
Moore, John M.	77
John M. Copper Mining Company	77
Morgan, John T.	132, 133, 137, 146
Morgan, Philander	137
Moseley Republicans	137, 138
Moseley, Robert A.	136-138
Mudd, William S. (Col.)	39, 64, 84
Muller, Albert A.	231-233
Murphey, Robert	39
<i>The Myth of Southern History: Historical Conscious-</i> <i>ness in Twentieth-Century Southern Literature</i>	99-100

—N—

Napier, John H. (III) (Lt. Col.)	246
<i>Napoleon's Soldiers in America</i>	237-238
Naramore, T. B.	221

Narcotic Education Week	189
Narcotics, Commissioner of the Bureau of	190
Narcotics Trade, International — 1920-1925	181-193
Nashville & Chattanooga Railroad Company	39-94
Natchez, Mississippi	107
Nathan Bedford Forrest Klan	207, 212-214, 223
National Democratic Convention — 1896	132
National Speaker Bureau	202
Negative Regulation	116
The Negro	139, 146-152
"Negro Cloth" — Osnaburg Fabric	20
Negro Republicans	137
New Deal	175
Newmeyer, Kent	129
New Orleans, Louisiana	105, 112, 238
New Orleans and Carrollton Railroad Company	113
New Orleans, Mobile & Chattanooga Railroad Company	44
Nixon, Richard M. (President)	173
"The Noble Crusade: Richmond P. Hobson and the Struggle to Limit the International Narcotics Trade, 1920-1925"	181-193
North Carolina, University of	172
North, Douglass	120
North East & South West Alabama Railroad Company	37-94

—O—

Oats, William C. (Governor)	131, 134, 146, 152
<i>Official and Statistical Register of the State of Alabama</i>	168
Ogden, D. B.	115, 123, 127
O'Hara, Gerald	227
Opium Conventions	181-193
"The Origin of the Alabama Department of Archives and History"	155-170
Owen, Thomas McAdory	155-170

—P—

"Pages From A Nineteenth-Century Album"	228-233
Palmer, John M.	144
Pan American Commercial Congress	189

Panic of 1837	113, 118, 121
Paris Peace Conference — 1919	182
Patterson, T. M.	162
Pearson, F. S.	96-97
Pelham, John (Major)	161
Pensacola, Florida	106, 108, 109, 110
People's Party	131, 134, 136
<i>People's Tribune</i>	140, 143
Perdido River	109
Perham, Jesse P. (Rev.)	24
Pershing, John J. (General)	188
Phares, John C.	39, 53
Phillips, M. W.	5
Pickens County	147
Pickett, Albert J.	168
Pinchot, Gifford	188
Pittman, Walter E.	181-193
Poll Tax	149, 150
Pontchartrain (Lake)	106, 107
Populism	131-133, 135-147, 150, 151
Populist National Convention	141, 142
Populist Party	131, 133, 135-147, 149-151
Populist-Republican Fusion	136, 139, 140
Populist State Executive Committee	137
Porter, Benjamin F. (Judge)	25, 40, 44, 72, 74, 75
Post-Civil War	174
Post Office Inspectors, Division of	156
Potts, Stephen M.	39, 80
Pratt, Daniel	5-35
Prattville	10 ff
Prattville Manufacturing Company	17, 19, 33
Primm, James N.	117
Primrose, William	113, 123
Prohibition Movement	183-185
Pruitt, Ruth	171-172
Pugh, James L.	131-133
"Pym" Essays	16, 31

—R—

Radical Republican	139, 171
--------------------------	----------

Railroads	13, 37-94, 97-98
Reagan, Hugh D.	95
<i>Recollections of Mississippi and Mississippians</i>	244-246
Reconstruction	139, 171, 239-241
Reed, Thomas B.	136
Renfro, Stephen S.	171-172
Repopnig Party	139
Republican National Convention — 1896	136
Republican Party	131, 135-142, 144, 145, 147 149, 150, 152, 173, 185
Republican State Executive Committee	136, 138
“Revenue” Tariff	138
Robert E. Lee Klan	207, 213-215, 226
Rodabaugh, Karl Louis	131-153
Rogers, William Warren	171-172
<i>The Role of the Yankee in the Old South</i>	238-239
Roosevelt, Franklin D. (President)	175, 192, 194
Theodore (President)	159, 194, 199-203
Rowan, Peyton	80, 86
Royal Arsenal of Havana	110
Royal Naval Academy of El Ferrol	105

—S—

Sabbath School and Methodist Church	24
Saint Clair County	145
Samford, William J. (Governor)	145, 148, 166
San Blas Cape	110
Sanford, E. D.	49, 52, 62, 73, 74, 75, 76, 90
San Juan de Ulua, Battle of — 1568	234
Scalawags	240
Schwartz, Anna J.	120
Screws, B. H.	161
Secession Crisis	15-35
Second Bank of the United States	114
Second International Opium Conference	187
Segregation	145
Segregationist, Southern	194
Semmes, Raphael (Admiral)	161
“Separate But Equal”	145
Sergeant, John	122, 123

Sewall, Arthur	142
Shearer, W. Waldo	39, 46, 53, 64, 70, 80
Shelby County	137, 145
Sherwood, Foster H.	128
Shirley, Thomas J.	212
Shoefner, Jerrell H.	100
Simmons, William J.	206-211, 215
Simpson, Robert R.	155-170
Sipsey Bridge & Causeway Company	47
Slavery and Slave Labor	5-35
Smedley, David	13
Smith, Alfred E. (Governor of New York)	223
George	221
Robert E.	218
William H.	240
William R.	230
Winston	238
Snell, William R.	206-227
Solid South	172-174
Sons of Confederate Veterans	169
Sound-Money Democrats	132, 134, 135, 146
Southern Agrarians — 1930	99
Southern History Association	157
<i>Southern Quarterly Review</i>	25
Southern Railroad of Vicksburg, Mississippi	49
Southern Railway System	38, 46
Southern Rights Party	31
"A Southern Segregationist Goes to Gettysburg"	194-205
Spanish-American War	145
Speed, Thomas	121
Spofford, Ainsworth R.	156, 168
Stassen, Harold E.	194
<i>State Herald</i> See also: <i>Birmingham Age-Herald</i>	134
Steele, John A.	145
<i>Stephen S. Renfroe, Alabama's Outlaw Sheriff</i>	171-172
Stephens, S. W.	92
Stephenson, E. R.	208, 209
Sterkx, H. E.	235-237
Stevens, William	137
Stevenson, President, Nashville & Chattanooga Railroad Company	65

Story, Joseph (Justice)	114, 123, 126, 127
Stroup, U. (Moses)	79
Summersell, C. S.	117
Sumner, Charles	126
Sumter County	171-172
Swisher, Carl B.	124

—T—

<i>T W K Monthly</i>	211
Taft, Robert (Senator)	194
Tampico, Mexico	110
Taney, Roger B. (Chief Justice)	113, 115, 116, 120, 123-130
Tatum, R. H.	76
Taylor, John H.	218
Joseph W.	44, 47, 81
Virginia H.	97-99
<i>The Texas Land and Development Company:</i>	
<i>A Panhandle Promotion, 1912-1956</i>	96-97
Texas and Pacific Railroad	98
University of Texas Press	97
Textile Mills	5-35
Third Opium Conference	182
The Thirteen	169
Thomas, Bert E.	225
Thomason, John I.	39
Tindall, George B.	172-174
<i>To Enquiring Friends If Any: Autobiography of</i>	
<i>John McDuffie, Farmer, Lawyer, Legislator, Judge</i>	95
Traylor, Charles T.	243-244
Treat, Victor H.	96-99
Troy, Daniel S.	135
Tuscaloosa, Alabama	157
Tuscaloosa Plank Road Company	84
Tuscumbia North Alabamian	8
Tuskegee Railroad Company	80
Tutwiler, Henry	232
Tyler, Bessie (Mrs.)	209
Samuel	124

—U—

Underwood, Oscar W.	183, 212, 215
Unemployment in Alabama — 1848-1849	9
United Fruit Company	97
United States Senate	175
United States Supreme Court	114, 145, 150, 175-176
University of Alabama Alumni Society	156
University Cadet Corps	38
Upshaw, William D.	205

—V—

Van Buren, Martin (President)	123
Vande Gruff, William J.	123
Vandenburg, Arthur H. (Senator)	194
Vaughn Republicans	137, 138, 140
Vaughn, William	137, 138

—W—

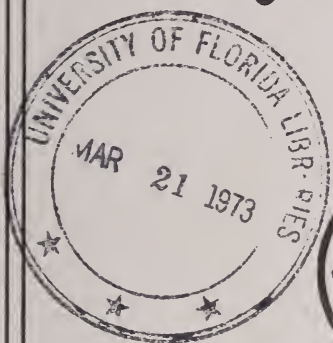
Wages — Cotton Mill Operatives	22
Walker, Alfred	80
Warren, Charles	122
Robert Penn	100
Washburne, Elihu B.	98
Washington, Booker T.	149, 199, 201-202
Watson, Frank	217
Tom	142, 144
Weaver, James "Whiskers"	142
Webster, Daniel	114, 122, 123, 126
Weeks, Stephen B.	157
West Florida — 1779	106
Western & Atlantic Railroad	41
Wetumpka & Montevallo Railroad Company	45
Wetumpka <i>Reform Advocate</i>	136
Wheeler, Joseph (General)	161
Whig Party	173
"White Man's Burden"	145
White Primary	152

<i>White Sects and Black Men in the Recent South</i>	241-243
White Supremacy	131, 134, 148, 150, 200-201
Whitesides, James A. (Col.)	39-90
Whitfield, A. H.	23
Wiggins, Sarah Woolfolk	171-172, 172-174, 239-241
Wilkinson, [James] (General)	124
Horace	224
Wills Valley Railroad Company	37-94
Wilson, Woodrow (President)	99, 159
Winston, William O. (Col)	44, 72, 80, 81, 85, 89
Wong King Ky	191
Woodward, C. Vann	99, 151
Wool	20, 30
World Narcotics Defense Association	188-191
Worthington, W. J.	219
Wyman, W. S.	158

—Y—

Yancy, William L.	168
Yeomans, G. Allen	194

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CONTENTS

Daniel Pratt's Industrial Urbanism: The Cotton Mill Town in Ante-Bellum Alabama <i>by Randall M. Miller</i>	5
Landon Cabell Garland's Letter Book While President of the North East & South West Alabama Railroad Company (1854-1855) <i>by Rebecca Agnew Holt and Mary Lightfoot Garland</i>	37
Book Reviews:	
Flock, (editor), <i>To Enquiring Friends If Any: Auto- biography of John McDuffie Farmer, Lawyer, Legislator, Judge</i> <i>by Hugh D. Reagan</i>	95
Brunson, <i>The Texas Land and Development Com- pany</i> , <i>by Victor H. Treat</i>	96
Taylor, <i>The Franco-Texan Land Company</i> , <i>by Victor H. Treat</i>	97
Davenport, <i>The Myth of Southern History: Historical Consciousness in Twentieth-Century Southern Literature</i> , <i>by Jerrell H. Shofner</i>	99

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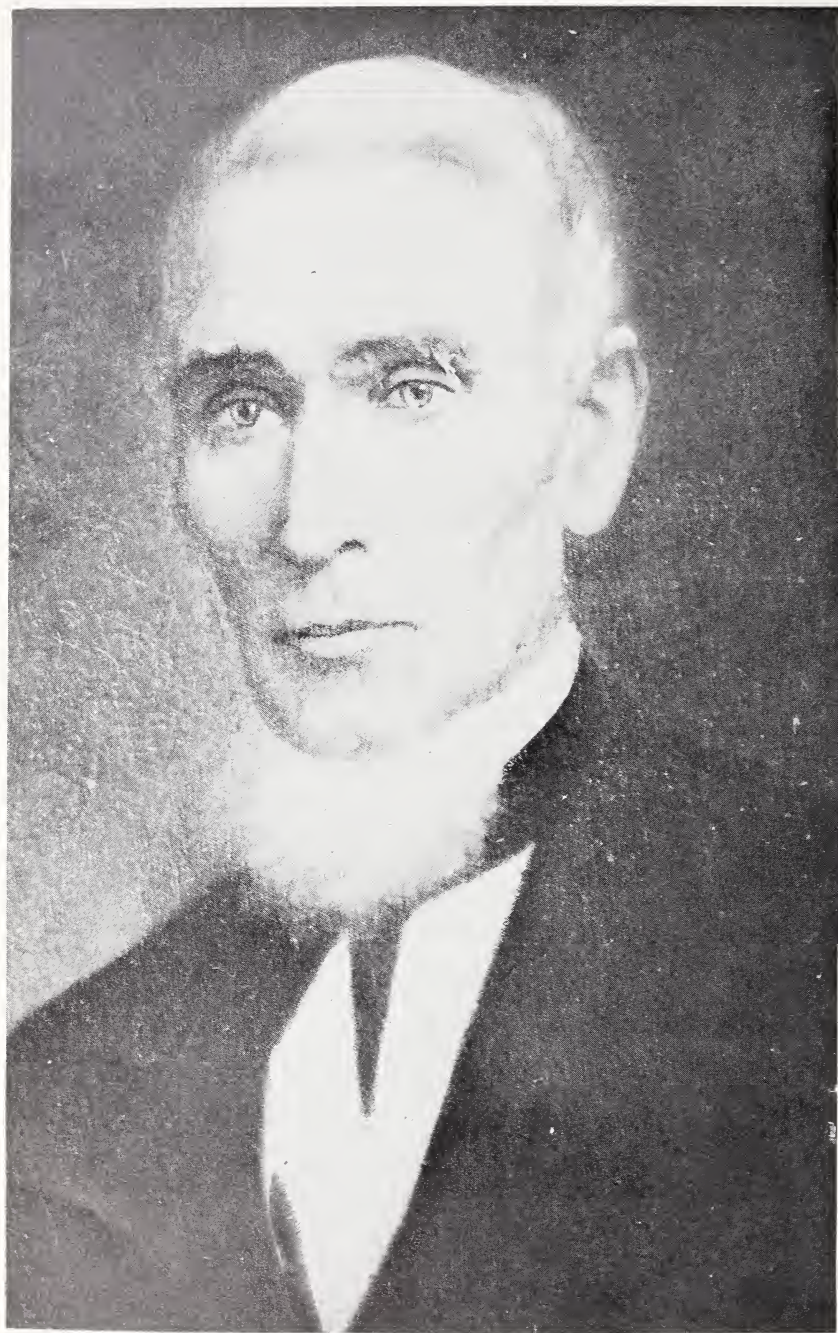
DANIEL PRATT'S INDUSTRIAL URBANISM THE COTTON MILL TOWN IN ANTEBELLUM ALABAMA

by

Randall M. Miller

The call for Southern manufactures which found an audience during the 1820's and increasingly so during the 1840's stood as one Southern response to a growing self-doubt concerning the long-range wisdom of retaining its cotton monoculture. The dislocations in society and economics which accompanied the drastic price decline after the Panic of 1837 caused enlightened Southerners to pause in their single-minded adulation of "King Cotton" and to re-evaluate their true economic strength *vis-a-vis* the North. In response to the decline in cotton prices, Southern agricultural reformers, politicians, merchants, and planters assembled at the numerous commercial conventions which met between 1837 and 1859 to resolve the agricultural crisis. Delegates repeatedly decried the cotton South's failing colonial economy which forfeited Southern profits to a hostile North for cheap manufactured goods and financial services. In order to restore Southern prosperity and punish the antislavery North, the conventions proposed a host of panaceas including scientific farming, crop diversification, railroad construction, direct trade with Europe, hoarding cotton from world markets to control cotton prices, and the establishment of Southern manufacturers, especially textile mills.

Between conventions, however, few Southerners sustained sufficient resolve to effect such reforms. The weight of the reform appeal also shifted to the region's several outstanding economic diversificationists such as J. D. B. DeBow of New Orleans, M. W. Phillips of Mississippi, and James Hammond of South Carolina. In each state arose an industrial prophet — similar to the noted William Gregg of Graniteville, South Carolina — whose jeremiads assailed Southern prejudices against manufactures and prodded planters to invest in textile manu-



DANIEL PRATT

factures or forever watch the South languish in economic bondage to the North.¹

Alabamians echoed the 'reformers' cries of distress. The *Montgomery Alabama Journal*, for example, lamented in 1839, "Never do we recollect to have witnessed so much stagnation in Business as at the present time. The hard times, and the scarcity of money is the universal cry of everyone." By 1846 Alabama began to experience an agrarian exodus similar to that of the older cotton states. British geologist Charles Lyell, touring the state in 1846, witnessed several Alabama families with their slaves and belongings emigrating to the rich cotton land of Texas. Lyell reported that at least 1300 and 2600 slaves had already quit Alabama for Texas and Arkansas. As late as 1854 a traveller on the Alabama River described such an emigration, noting that at each landing below Montgomery his party had an accession made to its numbers. The new arrivals were "mostly planters, who were attended by negroes, and who, I learned, were proceeding westward to the Mississippi States and Texas."²

Confronted with a declining population and wealth and jealous of the industrial advances in Georgia and the Carolinas, Alabama's industrial promoters moved with a decided sense of

¹The Southern response to the cotton price decline and anti-slavery attacks from the North is discussed in Robert R. Russel, *Economic Aspects of Southern Sectionalism, 1840-1861* (Urbana, 1924, New York ed., 1960), *passim*. See also Charles S. Sydnor, *The Development of Southern Sectionalism 1819-1848* (Baton Rouge, 1948), 249-256, 264-274. On Gregg's influence see Ernest McP. Lander, *The Textile Industry in Antebellum South Carolina* (Baton Rouge, 1969), 50ff; and Broadus Mitchell, *William Gregg, Factory Master of the Old South* (New York, 1966 reprint). For similar appeals to reform see Richard W. Griffin, "North Carolina: The Origins and Rise of the Cotton Textile Industry, 1830-1880" (unpublished doctoral dissertation, Ohio State University, 1954); Griffin, "The Origins of the Industrial Revolution in Georgia: Cotton Textiles, 1810-1865," *Georgia Historical Quarterly*, XLII (Dec., 1958), 355-375; Griffin, "Cotton Manufacture in Alabama to 1865," *Alabama Historical Quarterly* XVIII (Fall, 1956), 289-307. For a somewhat different view see Randall M. Miller "Cotton Mill Movement in Antebellum Alabama" (unpublished doctoral dissertation, Ohio State University, 1971), *passim*.

²*Montgomery Alabama Journal*, April 24, 1839; Charles Lyell, *A Second Visit to the United States of North America* (London, 1849), II, 61-63, 72, 109; James Robertson, *A Few Months in America; Containing Remarks on Some of Its Industrial and Commercial Interests* (London, 1855), 59.

urgency to repair the state's lost fortune. The *Mobile Herald & Tribune* editorialized that the state's habits "must be changed, if its citizens wish to keep up with the progress of the rest of the world." To prevent the overproduction of cotton, another paper demanded that planters give immediate thought to agricultural reform, but added that "we think the subject of manufacturers at the South should claim the first attention."³

Hoping to stimulate interest in cotton manufactures reformers recounted the variety of benefits which local cotton mills offered the planter community. The *Tuscumbia North Alabamian*, for example, argued that cotton mills kept money at home, and by increasing the local demand for cotton while drawing off capital and labor from cotton cultivation, helped raise cotton prices. At the same time, local manufactures promised to upset the Northern preference for a protective tariff, "by building up, and fostering a rival spirit at home." Similar appeals for manufactures emanated from the Black Belt region. The *Montgomery Independent* spoke for most Black Belt reformers in its declaration that local mills were the only "safe and effectual remedy" against the oppressions of the Northern tariffs.⁴

Industrial crusaders also credited local textiles mills with the ability to secure the institution of slavery from the Northern anti-slavery attacks. Pro-industrialists reasoned that an industrialized South, no longer dependent upon the North for basic goods and services, might strike at the North's sole sensitive nerve—its pocketbook. Southern manufactures promised double relief from antislavery abuse, not only insuring Southern economic liberation, but forcing Northern manufacturers—who wished to retain the confidence of their Southern clientele and prevent the rise of rival industry in the South—to drive the antislavery antagonists from their midst. Invigorated by the prospect of pinching the New England purse, the *Mobile Register* captured the spirit of the industrial reform appeal in Alabama when it commanded,

³*Mobile Herald & Tribune*, Dec. 1, 1846; *Mobile Register and Journal* Feb. 20, 1845.

⁴*Tuscumbia North Alabamian*, March 13, 1841; *Montgomery Independent* copied in *Niles' Weekly Register*, LXIX (1845), 188.

Let us not stop [investing in manufactures] till we have effected a thorough emancipation from the trammels of those who, while drawing millions from our pockets, are impertinently interfering with our most delicate social relations, and waging a relentless war upon our dearest rights.⁵

A consuming interest of the industrial reformers in this period was the employment of Alabama's poor whites in the textile mills. In 1848 the *Montgomery Tri-Weekly Flag & Advertiser* asserted that Alabama had 50,000 idle, poor whites available for employment. The *Montgomery Alabama Journal* suggested that manufacturers utilize the state's "large population born on the soil who have not capital to engage in agriculture, who do not wish to emigrate, and who wish employment." In an 1849 speech Gov. Henry W. Collier warned planters and during hard times the unemployed, dissatisfied poor whites might blame slavery for their own ill fortune. He counselled planters to patronize those cotton mills which already employed local white labor and to establish additional factories wherever large numbers of idle whites were concentrated. Pro-industrialists also pointed out that wage earning poor whites would increase the local demand for mechanical services and farm products. One newspaper conceded that if employed in local textile mills, "a large class of our population who are nonproducers, now, will contribute largely to the aggregate wealth of the community."⁶

In their attempts to educate the planter community as to the advantages of using white labor, Alabama industrial crusaders were fortunate to have a champion of exceptional talent to carry the industrial banner. In 1846 Daniel Pratt, a wealthy and articulate cotton gin manufacturer in Black Belt Alabama, emerged as the leading voice for Alabama industrialization, and his well-publicized experiment using poor white labor in a cotton factory became the model for much of Alabama's cotton mill expansion both before and after the Civil War. Equal to the efforts of William Gregg of Graniteville, Pratt's writings and example guided the pro-industrialist argument through the gauntlet of Southern prejudices, revealing how manufacturers

⁵*Mobile Daily Register*, Feb. 15, 1850.

could make poor whites useful members of Southern society without creating a class conscious urban proletariat antithetical to slavery and the Southern social order.

Pratt was already Alabama's foremost industrial figure in 1846 when he embarked on his public campaign for cotton manufactures. A native of Temple, New Hampshire, Pratt had removed to Georgia in 1821, where he labored as a carpenter and later operated a cotton gin factory at Clinton with Samuel Griswold. In 1833 he left Georgia to settle in central Alabama where he hoped to establish his own cotton gin factory. After several years of paying excessive rents to mill site owners, he purchased water rights and almost 2000 acres of land on Autauga Creek about fourteen miles from Montgomery. At the Autauga County site, which he named Prattville, Pratt built his cotton gin factory. He also operated saw and grist mills, but the cotton gin enterprise ensured his fortune. The well-made Pratt cotton gin became so popular throughout the South that Pratt opened a warehouse and merchant outlet in New Orleans to help move the gin. In 1846 the University of Alabama conferred upon Pratt, a man with only rudimentary schooling, the honorary degree of "Master in the Mechanical and Useful Arts" in recognition of Pratt's genius and ability "to promote, the industrial and economical virtues among men."

In his campaign for Alabama manufactures, Pratt first addressed himself to the Southern prejudice against manual labor. He recognized that such prejudice was widespread in Alabama, once stating, "I am aware that it is thought degrading by many to be seen following the plow, or with a jack-plane, saw, trowel, hammer, or any other mechanical tool in their hands," but he regarded such views as myopic and harmful to

⁶Montgomery *Tri-Weekly Flag & Advertiser*, Jan. 13, 1849; Montgomery *Daily Alabama Journal*, Oct. 24, 1850; Collier speech quoted in *Plough, Loom, and the Anvil*, II (1850), 497; Montgomery *Tri-Weekly Flag & Advertiser*, Sept. 23, 1848.

⁷No extended scholarly treatment of Pratt's life exists, but the following are useful: Allen Johnson and Dumas Malone, eds., *Dictionary of American Biography* (20 vols., New York, 1928-1937), XV, 170; Merrill E. Pratt, *Daniel Pratt: Alabama's First Industrialist* (Newcomen Society of England, American Branch, 1949); and the informative sketch in DeBow's "Gallery of Industry and Enterprise," in *DeBow's Review*, X (1851), 225-228. Honorary degree quoted in *ibid.*

Southern economic growth. In 1845 Pratt confided to a co-worker that he would soon put up a factory and a manufacturing village "for the purpose of dignifying labor in the South, and to give the laboring class an opportunity of not only making an independent living, but to train up workmen who could give dignity to labor." With good pay and proper attention to morals Pratt was confident that his village of Prattville, modelled after his own home town of Temple, would attract enough poor whites to commence his experiment. Through religion and education he hoped to introduce his employees to the positive New England virtues of sobriety, thrift, and hard work, which might earn for each operative "a neat, substantial dwelling, the front yard adorned with shrubbery and flowers, a good vegetable garden, a pleasant wife and cheerful children."⁸

In his reform program Pratt was careful to endorse manufacturing villages rather than industrial cities. Villages, he maintained, were healthier and more amenable to social control than cities. With a small, homogeneous population such villages were secure from the crime and social "-isms" which disrupted Northern urban life. Settled amid farms and plantations and manufacturing items to serve the agricultural community, Pratt's factory villages promised to complement rather than supplant the cotton and slave system.

The location of such villages was important to the success of Pratt's social experiment. Manufacturing, said Pratt, required "concentration of machinery and capital to make manufacturing profitable, and that capital and machinery will concentrate where the greatest facilities are found." Each village must possess abundant motive power and a healthful climate. Numerous small villages located from ten to twenty miles apart along the swift creeks of the piney woods region seemed for Pratt "far preferable to the same amount of capital concentrated in one place." With many small manufacturing villages, continued Pratt, "We might expect better health, better society,

⁸Pratt to Editors, Oct. 17, 1851, *Montgomery Daily Alabama Journal*, Oct. 22, 1851; Shadrach Mims, "History of Prattville," in Susan F. H. Tarrant, *Hon. Daniel Pratt: A Biography, with Eulogies on His Life and Character* (Richmond, 1904), 23; Pratt to Mr. & Mrs. Holt, June 1, 1847, Folder 44, Pratt Collection, (Alabama Department of Archives & History, Montgomery); Pratt to Editors, Oct. 17, 1851, *Montgomery Daily Alabama Journal*, Oct. 22, 1851.

and as changes seem necessary for some persons, they could go from village to village, without inconvenience to themselves or their employers . . . and we would not fear epidemics in this piney woods range.”⁹

In a series of articles and public letters published in several Alabama periodicals, Pratt detailed his plan for the cotton mill villages. First, to illustrate the benefits of cotton manufactures, he compared industry to agriculture. The planter arrived in Alabama with his slaves and planted cotton until he exhausted the soil, whereupon he left the state to compete with Alabama farmers on more fertile soils. The long term effect of the planter’s presence had proved negative, resulting in devalued cotton land and a diminished slave population. In contrast, the manufacturer was less transient. He purchased heavy machinery which remained in the state, sharing his wealth with planters through increased property values and the extra taxes which he paid for the mill and its equipment. Pratt assured his readers that he was not opposed to the planting interest; indeed, he considered planters “the bone and sinew of our country.” Pratt also linked agricultural reform to manufactures, noting that both interests were served by new barns, gin houses, improved slave quarters, farm machinery, and the like — all of which would provide jobs for local mechanics and manufacturers while increasing the efficiency of the plantations. But Pratt admonished planters to invest in cotton mills because “It will enrich them [the planters], and induce them to settle permanently, or consider themselves so settled.” With a fixed agricultural population providing markets and capital, the manufacturing interest might grow apace.¹⁰

Cotton mills, Pratt continued, should be the first industry in which planters invest their surplus capital. He reasoned that one million dollars capital invested in one textile manufacturing enterprise was sufficient to establish a factory employing 1600 operatives, who, with their families, would comprise a village of at least 2000 inhabitants. The workers, in turn, required no less than 1500 merchants, physicians, lawyers, millers, shoemakers, farmers, bakers, and the like, to provide services in

⁹Prattville *Southern Statesman*, May 26, 1855.

¹⁰Montgomery *Tri-Weekly Flag & Advertiser*, June 5, 1847.

the village. From the original investment, concluded Pratt, arose a self-contained and profitable manufacturing village of 3500 persons who would repay the investment with goods and services in a short time. While Pratt's village model was too large for Southern urban tastes, even his own, it did point up the enormous potential in manufactures and town development.¹¹

Pratt cautioned industrial enthusiasts that successful manufactures would not appear overnight in the state. A conspicuous participant in the local internal improvements conventions, Pratt vigorously backed rail and water transportation projects as necessary prerequisites to the establishment of local industry. In 1853, for example, he joined with David Smedley of Autaugaville Cotton Factory to sponsor a railroad convention at Prattville. There Pratt proposed that local planters and businessmen petition for state aid to help build a rail connection through Prattville and Selma to Jackson, Mississippi, and another to link central Alabama with the Tennessee River. In 1855 Pratt returned to this theme of state support for internal improvements, urging loans to railroad projects. Pratt pounded home the advantages of railroads to planters and businessmen alike: "Railroads not only increase the value of real estate, but they build up many towns and villages, which add greatly to her [Alabama's] revenue." Appealing to the citizen's universal desire to reduce taxes, he further contended that manufacturing villages and improved transportation facilities would actually prove cheaper to the state and the taxpayer than the present policy of importing manufactured goods and paying out excessive freight charges to send cotton to market. A positive state policy of underwriting rail projects would also invite capital into the state "instead of driving it out as has been the case for some years back." In 1860 Pratt drew praise from local newspapers for his energy in promoting internal improvements. Commenting on the temper of a railroad convention in Autauga County, the *Montgomery Daily Confederation* observed how Pratt, who had addressed the delegates on the need to establish a link with the Western Railroad in their county, had characteristically emphasized the practicality of the contemplated route and that

¹¹*Ibid.*

it promised to be "a good paying investment" for both the commercial and the agricultural sectors.¹²

In addition to the state's uneven transportation facilities, Alabama manufacturers suffered several other handicaps, most notably the state's reliance at great expense on the North for machinery and the want of a pool of experienced native labor. Because of such strictures to manufactures and in light of the enormous potential which cotton manufactures promised the state, Pratt suggested that the General Assembly remove the discouraging and burdensome special taxes on industrial property or "at least tax manufacturing capital no higher than property otherwise invested."¹³

In 1849, two years after he opened his own cotton mill, Pratt continued his plea for state aid to the economy. In a widely circulated public letter, he complained that Alabama's unimaginative banking policy, which restricted credit to agricultural investments alone, retarded industrial development and was driving wealthy Alabamians out of the state to areas "where they can make it more to their interest to invest their capital." If Alabama's cotton manufacturers hoped to keep pace with their rivals in Georgia and the Carolinas, Alabama must reexamine its attitude toward banks. The lack of banking facilities in the state, Pratt fumed, caused manufacturers to sell their goods in New York rather than locally. The Alabama manufacturer, dependent on the local market, was "obliged to sell his goods on a six months' credit and wait until his paper matures before he can realize anything from it." By marketing his products in New York, the same manufacturer received cash or a twelve months' credit for Northern goods. New York merchants possessed the banking facilities immediately to discount their notes on goods sold, and Pratt maintained that if Alabama established similar money facilities,

we should not be dependent on the New York merchants, but sell all our goods here and save the freight, insurance and commissions, and our citizens who held stock in our

¹²Montgomery *Tri-Weekly Alabama Journal*, Aug. 17, 1853; Prattville *Southern Statesman*, May 26, 1855; Montgomery *Daily Confederation*, April 11, 1860.

¹³Montgomery *Tri-Weekly Flag & Advertiser*, June 24, 1847.

banks would reap the profits of the discount, instead of the New Yorkers.

Pratt thus gave notice that despite Alabama's natural advantages for manufactures—abundant water power, healthy climate, and proximity of the raw material, few industrialists “will maké the second investment in manufacturing in this state, provided he has the financial part of the business to manage.” Pratt concluded that without banks cotton factories could never survive in Alabama: “Show me the states that are most prosperous, and I will show you the states that have the largest banking privileges.” Noting the Jacksonian aversion to the artificial wealth of banks, he boldly declared, “Banks may be an evil, but at present they are necessary evils; and no manufacturing state can prosper without them.”¹⁴

Such positive state notions were not, however, well received in Alabama. The Montgomery *Tri-Weekly Flag & Advertiser*, for example, cautioned manufacturers not to expect the state legislature to provide monopolies, tariffs, tax credits, or other artificial supports. The editors, who generally endorsed Pratt's program for local industry, dismissed the banking argument as one of self-interest alone. The *Flag* did not want Alabama to repeat the speculative blunders which had contributed to the Panic of 1837 and the suspension of specie payments within the state. Manufacturers would do well to operate on the good faith credit of local planters and merchants rather than relying on New York banks and taking a loss on notes in order to receive immediate cash.¹⁵

Likewise, Pratt's ideas did not always fare well in the political arena. During the threatened secession crisis surrounding the Compromise of 1850 and the Nashville Convention, Pratt published a letter condemning the secessionist position as hasty and dangerous to Southern institutions. Disunion, said Pratt, was no answer to Northern anti-slavery aggression because the North would continue to kidnap slaves and distribute incendiary literature in the South. To preserve slavery, which he believed necessary to Christianize and civilize the Negro, Pratt suggested

¹⁴Pratt Public Letter, March 12, 1849, copied in *ibid.*, March 31, 1849.

¹⁵*Ibid.*, June 5, 24, 1847, April 3, 1849.

that fire-eaters spend less time and money on disunion conventions and more on the encouragement of home industry. Rather than travel to Boston or New York for manufactured goods, Southerners should patronize local textile mills, local merchants, and other local industry. Pratt warned the planter community that the Southern preference for Northern products drove mechanics from the South and forced the region into an increasing dependence upon a hostile North. But if Southerners encouraged local manufactures, then Northern merchants and industrialists would quickly silence the abolitionists in the North, and "the abolition cord will be loosened. Then we will be a prosperous and happy people." Counselling patience, he promised that after Southerners developed their own manufactures "we shall be in a much better condition to secede."¹⁶

Secessionists were quick to voice their disagreement with Pratt. Perhaps the most mordant assaults on Pratt were the "Pym" essays which appeared in the *Montgomery Atlas*. "Pym" ridiculed Pratt's Northern background and reminded Pratt that his industrial reputation was "no evidence of your ability to mark out a path for the Southern people." He admonished Pratt that cotton manufacturers must not think themselves statesmen and suggested that Pratt's wealth, acquired through manufactures rather than agriculture, "has made you step above your station." Accepting the Southern Cavalier myth, "Pym" warned Pratt,

Confine yourself to the manufacturing of cotton goods, and you will be treated and respected as a manufacturer of cotton goods, but put yourself amid the heat and dust of the present stern struggle among southern men, and you will be marked and treated as a Gentile in Israel—the Barbarian among the Romans. We have *statesmen* to blaze out the path for the people of Alabama.¹⁷

Pratt's supporters were not so sure. The *Montgomery Alabama Journal* declared that Pratt had done "more to develop the resources of the State, and point its way to wealth and

¹⁶Pratt to Editors, Oct. 21, 1850, *Montgomery Daily Alabama Journal*, Oct. 24, 1850.

¹⁷"Pym" quoted in *ibid.*, Nov. 22, 1850.

power, than all the demagogues and scheming politicians with which it has been cursed from its foundation.”¹⁸ Pratt repeated his advice to the disunionists, but he did not imitate the personal nature of the “Pym” attacks. Pratt, who always tried to cultivate a good press for his industrial gospel, could hardly afford the luxury of protracted political debate. He discreetly allowed the public debate over the secession time-table to subside, and he took the safer course of quietly mobilizing community support for manufactures and postponement of secession until the Southern economy was healthy enough to stand free of Northern manufactures and services. After it became apparent that most Alabamians accepted the Compromise of 1850, Pratt, reaffirmed his allegiance to the Union, second only to the rights of the states and the South. Hinting at his future course, he helped author the Autauga Southern Rights Union resolutions which included an article declaring “it to be the true policy, nay the imperative duty” of Alabama to foster manufactures so that “if the trying time should ever arrive when the South shall have to rely on herself alone for protection of her rights and honor, Alabama may be fully prepared for such emergency.”¹⁹ Thereafter for almost ten years, Pratt retired from political discussions and concentrated his energies on his own industrial complex at Prattville to give visible evidence of the advantages of manufactures and white labor.

Pratt's important cotton mill experiment began in 1846 when he organized the Prattville Manufacturing Company No. 1. The original mill had only 500 spindles, but several of Pratt's friends pledged stock to expand the mill. Pratt was thus able to accumulate \$110,000 in stock subscriptions for the project. In 1846 Pratt described the mill: “Our machinery is entirely new and made expressly for heavy goods — when in complete operation [we] expect to turn out 6,000 yards per day — weighing half pound to the yard.” When the mill commenced operations in 1847, it employed 160 workers — men, women, and children — making it Prattville's largest single employer. The completed mill worked almost 3000 spindles and 100 looms —

¹⁸*Ibid.*

¹⁹Pratt to Editors, Nov. 11, 1850, *ibid.*, Nov. 13, 1850; Autauga SRU Resolutions printed in *ibid.*, May 26, 1851.

large by Alabama standards — and the machinery alone cost \$40,000, over \$13 per spindle.²⁰

Even with sufficient funding, however, the mill did not enjoy immediate success. In his "History of Prattville" Shadrach Mims, a former employee at Prattville and agent for the cotton mill, recalled that "a large portion [of the mill] lay idle for three or four years for want of capacity in the superintendent to manage the establishment." In 1848, after discharging two overseers, Pratt journeyed to New York in order to hire a suitable superintendent and competent master weaver for the mill. During his absence he regretted to learn that the "weaving is getting on so badly" and instructed Mims, "try and make the Weavers satisfied, tell them they shall have work enough after a while." In New York Pratt finally engaged a satisfactory manager in Gardner Hale, whose son also hired on to work in the carding room. At the same time, Pratt hired a machinist for the factory. Not until he had secured the competent Hale was Pratt able to attack the mill's fundamental problem, the lack of experienced labor. The mill hands, wrote Mims, were all "brought up from the piney woods, many of them with no sort of training to any kind of labor; and in learning many mistakes and blunders were made fatal to success."²¹

Apparently, Gardner Hale combined with Pratt to provide resourceful management because the growth of the physical plant at Prattville was spectacular. In 1846 Pratt reported that he operated one large cotton gin factory, which produced 500 gins annually, and he also had several saw, grist, and flouring mills. By the end of the following year Pratt had completed the cotton mill as well as several new blacksmith and machine shops. After the arrival of Gardner Hale, Pratt erected a new brick building at a cost of \$45,000 to house the cotton mill machinery. The expanded mill annually consumed between 1000 and 1500 bales of cotton, purchased from local growers, and in

²⁰Mims, "History of Prattville," 26; Pratt to Editor, June 30, 1846, *DeBow's Review*, II (1846), 153; Pratt to Mr. & Mrs. Holt, June 1, 1847, Folder 44, Pratt Collection; *DeBow's Review*, IV (1847), 136.

²¹Mims, "History of Prattville," 26; Pratt to Mims, Sept. 26, 1848, Folder 46, Pratt Collection; Mims, "History of Prattville," 33.

1850 turned out Osnaburg and sheeting valued at \$84,000.²² The new factory stood 150 by 80 feet with a brick basement and two wood stories. Attached at either end of the main edifice were two wings. The cotton mill connected with the cotton gin factory, which made the entire frontage about 300 feet and gave the appearance of one large structure. Pratt also constructed a woolen mill at a cost of \$11,000 and paid for the improvements wholly out of company earnings with no call on stockholders. About the same time, he added a new flouring mill, an iron foundry, and a sash, door, and blind factory.²³

By late 1848 Prattville Osnaburg was selling at 1/2 cent higher in New York than Lowell goods. In fact, the Osnaburg sold better in New York than in Alabama. When a Montgomery merchant, typically preferring Northern goods to those of local manufacture, purchased a portion of the Prattville shipment in the New York market, one local friend of Southern industry chuckled, "It would be rather singular that any of our merchants should go 1000 miles to buy an article manufactured within 14 miles of their residence."²⁴ Pratt also found a market for his heavy goods in New Orleans, after he marked down his goods to 9¢ per yard. With mixed success Pratt consigned his cloth to Alabama merchants at 10¢ per yard and allowed local farmers to peddle his thread, called "spun truck," within the county.²⁵

Since the Prattville Manufacturing Company continued to prosper through the 1850's, it was easy for Pratt to lecture planters on the blessings of local manufactures. Pratt improved machinery and widened his markets to keep pace with changing consumer trends. In 1856 he could boast, "Our Cotton Factory is doing well."²⁶ As the local market became glutted with

²²Pratt to Editor, June 30, 1846, *DeBow's Review*, II (1846), 153; *ibid.*, IV (1847), 136; Ms. Seventh U. S. Census, 1850, Schedule 5, Products of Industry, Alabama: Autauga County, (Alabama Department of Archives & History, Montgomery).

²³*DeBow's Review*, X (1851), 226.

²⁴Montgomery *Tri-Weekly Flag & Advertiser*, Dec. 2, 1848.

²⁵George Cook to Pratt, Feb. 14, May 19, June 9, 1848, Folder 44, Pratt Collection; *Alabama Planter*, II (Jan. 31, 1848), 481; Washington B. Crumpton, *A Book of Memories 1842-1900* (Montgomery, 1921), 10, 15.

²⁶Pratt to E. C. Griswold, March 11, 1856, Folder 48, Pratt Collection.

coarse cloth produced at other Alabama mills, Pratt wisely diversified his products, and in 1854 he joined William Gregg and other enlightened friends of Southern textile manufactures in the call for a more varied stock. Only the want of experienced labor prevented him from converting all of his machinery to high quality cloth production.²⁷ While Prattville remained a leading producer of Osnaburg in 1860, Pratt had already reduced the manufacture of that line of "Negro cloth" by almost half since 1850, while he expanded the manufacture of sheeting. He also increased wool production so that by 1860 woolen goods constituted more than half of the company's sales. In 1860 the company reported "a large and extensive business," and planned to add several larger fireproof buildings to house new machinery.²⁸

In part, Prattville's good fortune was due to the favorable location of its factories. Pratt, who was proud of his mill site, stated in 1846, "I have excellent water power, which enables me to do most of my work by machinery." Visitors to Prattville all conceded that the site afforded abundant water power and good transportation. J. D. B. DeBow described Autauga Creek as "a bold, clear stream . . . and the most uniform stream in the world—neither depressed by a protracted drought, nor much swollen by heavy rains." The stream was dependable,

²⁷Prattville *Southern Statesman*, Dec. 20, 1854. Pratt's own preference was for striped plaids and pantaloons.

²⁸In January, 1858, Pratt reported the following statement of the business of Prattville for the year 1857:

Cotton Gin Manufactures	\$144,000
Cotton Factory	151,724
Sash, Door, and Blind Factory	13,360
Corn Mill (Horse Power)	17,160
Foundry	11,432
Carriage	6,500
Tin	3,050
Machine and Blacksmith Shops	8,694
Printing Business	8,000
Mercantile Business	155,249
Total	<u>\$519,169</u>

See Pratt advertisement copied in Tarrant, *Pratt*, 68. On the comparison of 1850 and 1860 production see Schedule 5 of Ms. U. S. Census for 1850 and 1860, Autauga County. On expansion see Prattville *Southern Statesman*, March 24, 1860.

possessed a rapid fall, and the sandstone bed provided a foundation "superior for mills." DeBow once remarked that Prattville enjoyed water power "sufficient to drive 30,000 spindles and 100 looms, which with the other business that would naturally follow, would support a population of 6,000 inhabitants." The Alabama River proved navigable to within four miles of Prattville, and by 1851 Pratt had completed a plank road connecting his village with the river. In 1851 DeBow reported that Pratt was constructing a wharf and warehouse at the Alabama River landing, "which will compare with the best."²⁹

The true strength of Prattville, however, lay in the energies of its founder. In his attitude toward work Pratt remained thoroughly New England. He simply believed that "NO man is happy who has no useful employment" and set out to prove it. DeBow found Pratt "unostentatious—simple and republican in his course of life," and his energy "indomitable . . . his industry knows no impediment or regards no toil. Night and day this man of enterprise may be found at his post."³⁰

Pratt did, however, have his other side. A very private man, he especially enjoyed relaxing at home with his wife, and even a glass of fine wine.³¹ Much of Pratt's spirit was reflected in his home. One visitor remembered the home as a "large and handsome building" with a front yard "tastefully laid off." The yard abounded with "rich shrubbery and fragrant flowers, in the centre of which a fountain is continually playing." Ad-

²⁹Pratt to Editor, June 30, 1846, *DeBow's Review*, II (1846), 153; *ibid.*, IV (1847), 136, X (1851), 227; *Soil of the South*, I (Aug., 1851), 117; *DeBow's Review*, X (1851), 227.

³⁰Pratt to Editors, Oct. 17, 1851, *Montgomery Daily Alabama Journal*, Oct. 22, 1851; *DeBow's Review*, IV (1847), 137.

³¹Although he proscribed alcohol for his operatives, Pratt did drink fine wine. On the hill behind his residence he cultivated a vineyard of Scuppernong and Catawba grapes for his private use. A longtime friend of agricultural reform, Pratt encouraged the native wine culture and corresponded with grape growers throughout the South as to the best methods of improving his vineyards. Grape culture became one of his fascinations, and Prattville wines were regular fare with meals. One guest to Pratt's home recalled testing "several specimens of fine Autauga wine . . . of this wine Mrs. Pratt had several casks, the vintage of last year." For Pratt's interest in local wine production see *DeBow's Review*, X (1851), 226; J. Noyes to Pratt, March 26, 1849, Aug. 31, 1850, Folder 44, Pratt Collection; Statement of Noah B. Cloud copied in Tarrant, *Pratt*, 66.

jacent to the residence was a large hall where Pratt maintained a picture gallery. Pratt's collection included copies of "The Last Supper," "The City of Rome," "The Captives of Judah," and other fine works as well as patriotic portraits of George Washington, Henry Clay, John C. Calhoun, and Bishop Soule, all painted by George Cook, a New Orleans artist in Pratt's employ. In the gallery Pratt also kept a grand piano and an organ on which his wife played sacred music—Pratt's favorite. Such introspective tastes help explain Pratt's apparent aloofness with his partners and employees. Shadrach Mims recorded that "With those in his employ he [Pratt] rarely conversed unless on business connected with their immediate department during business hours."³² Such tastes also set Pratt off from the common worker and bound him, intellectually perhaps, to the aristocratic element in Alabama.

Whatever his own preferences, Pratt described a rigid diet of religion, temperance, and education for the workers. Employees at Prattville were largely natives of the piney woods with little or no education. While he preferred families, Pratt also took on single girls and children for work in the cotton mill. In 1847 the average wage for cotton mill operatives at Prattville was \$8 per month, and DeBow reported that at that wage "There is no difficulty in getting operatives . . . and Negroes have not been employed from the abundance of other labor." According to the 1850 census, at least 73 women and 63 men worked fulltime at the mill, women receiving an average monthly wage of almost \$9 and men \$16. Pratt furnished his operatives with cottages, sometimes for a small rent but generally free, and the workers were expected to "obtain their provisions at the shops and neighboring farms." Each of the 65 worker cottages available in 1850 was "neatly painted and of uniform size," and set against the hills amid trees and shrubs so as not to disturb the invigorating pastoral environment of the village.³³

Unless employed in the mill, all of the operatives' children

³²*DeBow's Review*, X (1851), 227; George Cook to Pratt, May 15, 19, July 21, Sept. 6, 1848, Folder 44, Pratt Collection; Tarrant, *Pratt*, 84-85; Mims, "History of Prattville," 45.

³³*DeBow's Review*, IV (1847), 136; Ms. Seventh U. S. Census, 1850, Sch. 5, Alabama: Autauga County; *DeBow's Review*, X (1851), 226.

of school age attended Pratt's special school, located "in a cool sequestered place completely surrounded by a forest." To guard the youngsters' morals and health, Pratt prohibited the sale of alcohol within two miles of the school under penalty of not less than \$200 fine for each offense. T. B. Avery, "an accomplished scholar and gentleman," directed the school under the experimental Lancastrian plan, which arranged the desks in rows with the instructor addressing the students from the front of the room rather than placing the seats around the wall. The New England-born Avery stressed the "Induction" method in his instruction, "drawing out the mind and teaching it to be self-reliant."³⁴

Pratt's school reflected his interest in developing the habits of industry and thrift among the workers' children, but it did not go far enough in vocational training as he had hoped. In 1851 he debated with A. H. Whitfield, a local farmer, on the advantages of technical training in the schools. Pratt petitioned the state legislature to establish a mechanic's school to encourage manufactures and the mechanical arts. Boys entering the mechanic's school at age fourteen would, after two years of study, apprentice themselves out in their chosen trade for a period of three years, finally returning to school for one last year of instruction. Such a system guaranteed enough trained mechanics to continue the state's industrial growth. Pratt offered land for a school site and financial aid to any student too poor to pay his own fees.³⁵

A. H. Whitfield agreed that a need for such a school did exist in the state, but he proposed that students combine with an apprenticeship in a seven-year program which included eight hours of study and seven hours labor each day. He also emphasized a curriculum of horticulture, scientific farming, practical knowledge of grading, levelling, fencing, and the use of farm machinery. Apparently, Whitfield's mechanic's school was intended to serve as an adjunct to agriculture rather than encour-

³⁴Shadrach Mims, "History of Autauga County," [ca. 1886] in *Alabama Historical Quarterly*, VIII (Fall, 1946), 261. For the liquor ban see *Alabama, Acts of the General Assembly, 1845-46*, 115-16; *ibid.*, 1847-48, 165.

³⁵Pratt to Editors, Oct. 17, 1851, *Montgomery Daily Alabama Journal*, Oct. 22, 1851.

age manufactures. Pratt was unsuccessful in selling his plan to the Alabama legislature, which was interested in neither public education nor support for the mechanical arts, and in 1854 Pratt was still lobbying for state aid to a mechanic's school which might offer a "plain practical education."³⁶

More important than technical skills, however, was Pratt's instruction in religion and sobriety. Pratt always insisted that "no worker about machinery is worth a pinch of salt if he has liquor in his stomach."³⁷ To remove the operatives' intemperance and so increase their efficiency, he strictly forbade the sale of alcohol within two miles of the village. According to *DeBow's Review*, violators received stiff penalties for noncompliance in cases where Pratt owned town lots: "In selling building lots, the sale of ardent spirits has been prohibited, by a forfeiture of the lot in any event of the kind."³⁸

The workers' religious instruction stressed the virtues of hard work and temperance, and few missed some form of religious instruction while residing in Prattville. Mims recalled that all children were required to attend Sunday school, "the first Sunday after their arrival." In 1845 the Sunday school met in the upper room of a local store, but Pratt soon moved the school to more expansive quarters to meet the needs of the increased population. The Rev. Jesse P. Perham of the Methodist Episcopal Church, a young preacher from New Hampshire who also worked as a machinist at Prattville, became the first "stationed preacher" at the Sabbath school and Methodist church. Mims remembered that Perham, despite a speech impediment, was "a true orator by nature," and as a revivalist he "had no superior."³⁹ A deeply religious man, Pratt generously supported the Prattville churches. J. Slater Hughes, a temperance crusader who twice visited Prattville in 1847, applauded the vigorous religious life in Prattville's Methodist, Baptist, and Presbyterian congregations. The Sabbath schools were thriving with twenty teachers

³⁶Whitfield to Editors, Dec. 15, 1851, *ibid.*, Dec. 22, 1851; Prattville *Southern Statesman*, Dec. 20, 1854.

³⁷Pratt quoted in Dwight M. Wilhelm, *History of the Cotton Textile Industry of Alabama 1809-1950* (Privately printed, 1950), 13.

³⁸*DeBow's Review*, X (1851), 226.

³⁹Mims, "History of Prattville," 58, 32-38.

and a 1000 volume library for the 120 pupils. In addition, Hughes reported that Prattville supported "a flourishing Bible Society." In a letter to his sister Pratt enthusiastically related that his village enjoyed "regular preaching every Sabath [*sic*] and jenerally [*sic*] every Wednesday night."⁴⁰

Judging from contemporary accounts, Pratt's religious program experienced some success. In an 1849 article for the *Southern Quarterly Review*, Judge Benjamin F. Porter of Tuscaloosa declared that in Prattville "good morals, and well paid industry distinguish the operatives." Porter approved of the Prattville enterprise, and he went on to say, "The labor, which, a few years ago, was wasted on small cotton farms, is here directed to a more useful employment."⁴¹ J. Slater Hughes happily observed that Prattville suffered "no idlers," but he also noticed that there were "a few youngsters who have not learned to be decent in the house of God." In an 1848 letter George Cook informed Pratt, "I regret that the Demon Alcohol has access to your village."⁴² By 1860, however, Pratt confidently stated that he had corrected most problems. He described the town's inhabitants as "industrious, intelligent and refined," and added that "the town is universally free of the vices of loafing and dissipation."⁴³ On the whole, Sharach Mims concurred with Pratt's analysis. Mims praised Pratt for the "good done to the operatives and their families, both in a pecuniary way and in the improvement of mind, manners and morals." The cotton mill employees, who "were of the very poorest class . . . withal ignorant people from obscure parts of the country . . . having never enjoyed any religious privileges," largely benefited from Pratt's religious program. Although several of the "drunken and abandoned" fathers kept up their old habits and some of the children were "far from being as good as they might

⁴⁰J. Slater Hughes to *Temperance Watchman*, May 23, 1847, copied in *Tuscaloosa Independent Monitor*, Nov. 9, 1847; Pratt to Mr. & Mrs. Holt, June 1, 1847, Folder 44, Pratt Collection.

⁴¹Porter, "Characteristics of Alabama," *Southern Quarterly Review*, XVI (1849), 190.

⁴²Hughes to *Temperance Watchman*, May 23, 1847, copied in *Independent Monitor*, Nov. 9, 1847; G. Cook to Pratt, May 15, 1848, Folder 44, Pratt Collection.

⁴³Prattville *Autauga Citizen*, Aug. 16, 1860.

be," most children, after the initial distaste for religion wore off, experienced in Mims's eyes an "agreeable change."⁴⁴

While this spiritual and moral metamorphosis proceeded among the children, Pratt moved to ensure the docility of his white work force through the introduction of slave labor in the mills. During the 1850's Pratt, the acknowledged leader in the movement to uplift poor whites through employment in factories, joined many of his colleagues in Alabama and the South in the use of Negroes in the mills. When the agricultural reformer Noah B. Cloud inspected the Prattville industries in 1857, he discovered slaves working side by side with whites in the mills. At the cotton gin factory and foundry Pratt employed fifty hands, "Many of whom are slaves that seem to be well skilled in the performance of this work." At the cotton mill, which he described as "extensive and flourishing," Cloud also found Negroes working with the white operatives. Significantly, the presence of Negroes did not appear to disrupt the normal operations at the mill."⁴⁵

Since his first days in Alabama, Pratt enjoyed the blessings of slave labor. He brought two slaves with him when he left Georgia in 1833, and he used slave labor to clear and fill the swamps at the Prattville site. By 1850 Pratt had accumulated a force of 47 slaves, all kept at Prattville. Ten years later the census recorder found Pratt with 107 slaves at Prattville, most of whom were of employable age.⁴⁶

What is interesting here is not that Pratt owned slaves—many of them—but why he turned to slave labor at all in the mills. Shadrach Mims suggested one reason for Pratt's swing to a mixed labor force when he noted that the white workers, drawn from the neighborhood, had simply not performed as well as hoped. Many of the men remained dissipated in health and morals and never did throw off their personal embarrassment at

⁴⁴Mims, "History of Autauga County," 262, 266-267.

⁴⁵Montgomery *American Cotton Planter & Soil of the South*, n.s., I (1857), 156-157. For a full discussion of slave labor in Alabama cotton mills see Miller, "Cotton Mill Movement in Antebellum Alabama," chapters iv-v.

⁴⁶Mims, "History of Prattville," 21, 24-25; Ms. Seventh and Eighth U. S. Census, 1850 & 1860, Sch. 2, Slave, Alabama: Autauga County (microfilm), National Archives.

being reduced to labor in a factory. Having acquired the habits of lethargy and insobriety in the piney woods, the poor whites proved hard to train. Mims complained of the many mistakes made as a consequence of using local white labor. Moreover, the white worker's peculiar habit of moving on after a few months on the job proved costly and sabotaged Pratt's reform effort. The difficulties in using white labor which Mims described may have been overdrawn, as Pratt himself claimed in 1860 that he had resolved most of the problems of drink and inefficiency among the white operatives; nevertheless, the process must have been wasteful in man hours and productivity.⁴⁷

Actually, Pratt worked hard to make factory labor as attractive as possible to whites, and his factories compared favorably with the Southern norm for working conditions, wages, and care of workers. Wages, although not high by national standards, were generally sufficient to provide most of the worker's basic needs. In addition, the factory housing, a lure to indigent whites, was clean, comfortable, and well secured against the elements. In the well-run factory village there were also numerous opportunities for educational and cultural enrichment. If the operative could withstand patronizing ministers and mill managers, he might enjoy schools, churches, libraries, lyceums, and special concerts. The Prattville *Southern Statesman*, independent in politics, provided a literary outlet for the poetical ambitions of the workers.⁴⁸

The cotton mill also afforded opportunities for upward mobility. If one was willing to stay on at the mill and possessed both talent and energy, he might realize marked advances in factory status and remuneration. Washington Ellis, the son of a local farmer who later became an operative in Prattville, is a case in point. Ellis entered the cotton mill in 1852 at the age of eighteen. After several years in the weaving department, he switched to carpentry which offered higher returns in status

⁴⁷Mims, "History of Prattville," 26. See also fn. 43 above.

⁴⁸Compare Prattville conditions, noted above, with those prescribed in E. Steadman's model factory described in his *The Southern Manufacturer: Showing the Advantages of Manufacturing the Cotton in the Fields Where It Is Grown . . .* (Gallatin, Tenn., 1858), especially, 67-74, 82-83. See Miller, "Cotton Mill Movement in Antebellum Alabama," chapters ii-iii, v, for comparison of Alabama mills and village life.

and wages. The war interrupted his progress, but by 1868 he had returned to Prattville to take charge of the entire weaving operation.⁴⁹

There were other examples of such advancement, but such successes remained exceptional cases. Most operatives did not remain long in industrial employment, and if they did, they frequently jumped from one mill to the next in the hope of higher wages. There was abundant cause for whites to find factory labor distasteful in the South, even at the enlightened Prattville mills. In a cotton mill the work was monotonous and not without personal danger. The primitive tooling crushed limbs, and fires were a constant hazard. One grisly accident at Prattville involved a young boy whose shirt became entangled with the exposed leather belting of the machinery which dragged the struggling youth into the machinery where he was summarily decapitated.⁵⁰ If exposed to labor in a cotton mill for any length of time, one's health always suffered from the heavy cotton dust. James Silk Buckingham, during his 1839 tour of Southern cotton mills, found white operatives "miserably pale and unhealthy" and "very shortlived." According to Buckingham, the first symptoms of the seasonal Southern "fevers and dysenteries" appeared "chiefly among them at the factories . . . sweeping numbers of them off by death. . . ."⁵¹ While working conditions had improved considerably since the crude, poorly ventilated mills of the 1830's, labor in many Alabama mills continued to be unhealthful and unpleasant. At Prattville workers frequently grumbled about colds and coughing due to the warm, muggy days and cold, damp evenings. The factory site accounted for much of the discomfort as Pratt had selected his mill site at a bog, which is ironic considering his admonitions to choose healthful sites for manufacturing villages. Fatal diseases sometimes accompanied the ague and coughing. In 1848, for example, a summer scourge claimed the life of a young boy and disabled much of the work force. Epidemics which plagued Montgomery were easily transmitted to Prattville. On one occasion, only Pratt's insistence on universal vaccination at the village

⁴⁹"Personal Memoirs—Autauga County," in Brant and Fuller, comps., *Memorial Record of Alabama* . . . (Madison, Wisconsin, 1893), I, 350.

⁵⁰Montgomery *Daily Confederation*, Oct. 2, 1858.

⁵¹James Silk Buckingham, *The Slave States of America* (London, [1842]), II, 113.

and a travel ban to Montgomery prevented a small pox epidemic from spreading to Prattville.⁵² Shadrach Mims, who loved Prattville more than any man save Pratt, ruined his health while an agent for the cotton mill. Mims complained that after fifteen years labor in Prattville, "I have about paid my expenses and no more. . . ." At the cotton mill he performed the "hardest work" of his life and "completely wrecked" his health. After retiring from the mill, he moved out of town to a small farm, but he found himself "unable to do any out-of-door business and at times . . . too weak to get from my bed to my chair and back again without assistance."⁵³ How much was old age, the result of overwork, or the consequence of cotton dust and an unhealthy environment no one can be sure. Whatever the case, the sorry state of Mims's health was small inducement for local whites to enter the mills, and the briefest exposure to labor in a Southern mill was an incentive to move on.

In addition to hard work and insalubrious conditions, the operative suffered psychological torment. The stigma against factory labor remained strong in the South throughout the antebellum period. As James C. Bonner has suggested in an important study of a Georgia community, the white landless farmer went to the mill reluctantly and on the gamble that there he might retrieve a lost fortune. With a grub-stake he could re-enter agricultural pursuits. According to Fabian Linden, the white worker's entrance into industrial employment in the South was a desperate act. To forsake the soil for the factory signalled the white's failure within traditional Southern economic and social channels, and this feeling, argues W. J. Cash, would not be allayed even in the immediate postwar South. During the 1850's, however, the non-slaveholding white found it increasingly difficult to compete with slaves in agriculture, and rising slave prices prevented him from acquiring his own Negroes. The Southern factory worker, says Linden, represented the product of "an increasingly exclusive slave system" and forced by economic pressures, much like his counterpart in the New South, "to leave the land and seek reluctantly support in

⁵²On unhealthful conditions see for example, G. Cook to Pratt, Oct. 19, 1848, Folder 44, Pratt Collection. The epidemic is treated in *Montgomery Daily Alabama Journal*, March 14, 20, 1851.

⁵³Mims, "History of Autauga County," 251.

urban centers." The white operative in the South, before the acceptance of the New South ethic, had fallen "through the very bottom of the agricultural hierarchy."⁵¹

Although personally indisposed to participate in the degrading mill work, many poor whites and marginal farmers sent their wives and children to the mills in order to bolster sagging farm incomes. This source of labor, however, potentially disrupted the social control systems of the factory village. For that reason Pratt generally sought, with mixed success, whole families who would live in his village and take part in the community's religious and educational programs. Despite his pledge not to raise up a class of white workers totally dependent upon industrial wages,⁵⁵ Pratt encouraged Prattville mechanics to let their sons and daughters work in the cotton mill. The 1860 census suggests that he employed that source of labor to a great extent. As a proven counter-weight to the growth of organized labor, he may have begun to train his slaves in the art of tending cotton machinery.⁵⁶

The fluidity of local white labor and the desire to balance

⁵⁴James C. Bonner, "Profile of a Late Ante-Bellum Community," *American Historical Review*, XLIX (1944), 670; Fabian Linden, "Economic Democracy in the Slave South: An Appraisal of Some Recent Views," *Journal of Negro History*, XXXI (April, 1946), 145, 146. For Cash's provocative comments concerning the nature of factory labor in the post war South see his monumental *The Mind of the South* (New York, Vintage ed., 1941), Books II, III.

⁵⁵Very circumstantial evidence exists to suggest that one family of workers at Prattville may have entered a state close to debt peonage as credits at the company store out-ran wages. Mims, as company agent, tried to garnish wages to pay debts due Prattville merchants. See for example, Sarah Lilly (employee) to Mims, Nov. 6, 1857; and J. H. Lilly (employee) to Mims, Nov. 7, 1857, William C. Allen Papers (Southern Historical Collection, University of North Carolina, Chapel Hill). This may account for white labor's tendency to migrate from job to job. Operatives, if such projected garnishments were common, may have wanted to escape debts.

⁵⁶Ms. Eighth U. S. Census, 1860, Sch. 1, Free, Alabama: "Prattville," Autauga County (microfilm), National Archives. On the use of slaves to curb labor unrest see Richard B. Morris, "Labor Militancy in the Old South," *Labor and Nation*, IV (May-June, 1948), 32-36; and Morris, "The Measure of Bondage in the Slave States," *Mississippi Valley Historical Review*, XLI (Sept., 1954), 219-240. On the use of slaves in Southern industry see Norris Preyer, "The Historian, the Slave, and the Ante-Bellum Textile Industry," *Journal of Negro History*, XLVI (April, 1961), 67-83; and Robert S. Starobin, *Industrial Slavery in the Old South* (New York, 1970).

white class interests against slave labor does not entirely account for Pratt's adoption of a racially mixed labor force in the mills. There was a more personal reason for his new labor policy. Obviously, he wanted to find useful employment for the unusually large slave force which he maintained at Prattville. As to his motives in purchasing so great a force we can only guess. Investments in slaves represented dead capital for manufactures, and it ran counter to all of Pratt's public pronouncements on the need to divert capital from Negroes and land into manufactures. Pratt's attachment to slave labor in the 1850's, while it reflected his growing awareness of the uneven quality of the local white labor pool, conspicuously followed the bitter assaults on his loyalty to Southern institutions which occurred during the 1850 secession crisis. As noted earlier, the radical wing of the Southern Rights party had denounced Pratt for his cautious stand on secession in 1850. The "Pym" essays challenged Pratt's fidelity to Southern principles and suggested that Pratt's Northern origins and his consuming interest in manufactures rather than land and Negroes made him less than a man by Southern standards. Certainly, from "Pym's" point of view Pratt had no right to discuss with Southerners the proper timetable for secession. Rather than antagonize the planting interest upon which industry depended for patronage, Pratt withdrew from the debate in 1850, but his embarrassment continued over a most ridiculous rumor concerning a secessionist barbecue. Some disunionists claimed, incorrectly, that Pratt had refused to allow persons of their political persuasion to hold a barbecue and rally on land owned by Pratt. The ill-feeling engendered by this misunderstanding forced Pratt to make a public denial of any attempt to prohibit the disunionist assembly, and he further declared himself a friend of Southern Rights. The disunionists accepted the apology in good faith, and many local citizens flew to his defense, believing Pratt an honest man and one who had the true interests of the South at heart. Despite the support, the significance of the disunionist allegations as to his loyalty, based wholly on his place of birth and his ungentlemanly profession, could not have been lost on the intelligent and sensitive Pratt. His great wealth in slaves, his long residence in the South, and his devotion to Southern economic independence counted for nothing with the disunionists. Pratt found himself labelled an outsider in his

own state.⁵⁷ During the 1850's he began to buy more slaves and finally introduced Negroes into his mills which had been laid out as a refuge for poor white labor from the piney woods.

As entrance into the Southern ruling class became more restricted during the 1850's and the South grew more sensitive to discussions touching its peculiar institution, Pratt became an outspoken defender of slavery. While on a business trip to the North in 1851, he published a widely circulated letter in which he described the slaves as happy, healthy, and grateful for their bondage. The letter revealed the extent to which he had purged himself of his New England heritage and gone over to the popularly held positive-good slavery doctrine of the planter elite. In the Northern camp, as if to show off his devotions to Southern principles, Pratt dared to proclaim, "African slavery in North America has been a greater blessing to the human family than any other institution except the Christian religion." He argued that slavery removed the Negro from the vicious savagery of the African jungle to the virtue and benevolence of Southern culture, which the happy slave assimilated through labor in the field or in the mechanical trades. Pratt addressed the last line of his letter to his New England competitors when he queried, "How many cotton factories would have been in operation in the United States had not the negro made the cotton?"⁵⁸ As to the abolition and slavery extension questions Pratt concurred with acceptable Southern doctrine. In 1859 he could find "no patience to listen to a class of persons, who speak of fencing in or penning up slavery." On the extension of slavery into the territories and into industry, he concluded, "Slavery will eventually go where it can be made profitable, and no where else is it wanted."⁵⁹

Despite his avowed fealty to Southern institutions and his personal fortune in Negroes, Pratt was not a fire-eater, nor did he support the radical secession platforms. During the secession crisis of the late 1850's and 1860, he remained adamant in his conviction that the South was yet unprepared to stand alone.

⁵⁷See above, notes 16-19, for the discussion of the 1850 secession debate. See also *Montgomery Advertiser & State Gazette*, Nov. 20, 1850.

⁵⁸Pratt to *Farmer's Cabinet*, Aug. 8, 1851, reprinted in *Montgomery Tri-Weekly Alabama Journal*, Sept. 8, 1851.

⁵⁹*American Cotton Planter & Soil of the South*, n.s., III (1859), 115.

Pratt characterized the "flaming, fiery speeches and threats" of the Southern Rights men as rash and unproductive; rather, he urged the South to build up its industry and commerce before hastening towards disunion. Repeating his counsel of the earlier secession debates, Pratt implored Southerners to "go quietly and peaceably to work, and make ourselves less dependent on those who abuse and would gladly ruin us." Pratt was prepared to declare war on the anti-slavery North, but only with a well supplied arsenal. Southerners, said Pratt in 1859, must redirect their energies and buying habits to support local enterprise in order to "build such bulwarks as will not only defend ourselves, but conquer our enemies." Boasting of his own accomplishments at Prattville to further Southern liberties and independence, Pratt said, "I am trying to reverse things a little." He purchased his shafting, about 40 tons per annum, from a works in Etowah, Georgia, and he found it "a better article than I get from the North, and as cheap." Pratt used almost 150 tons of Shelby County pig iron, which he believed "equal to any iron made," and all of his lime came from Alabama, "the best I ever used." More importantly, the Prattville Manufacturing Company worked up 1200 bales of Alabama cotton and 120,000 pounds of Southern wool each year.⁶⁰

Pratt's loyalty to the South extended beyond home consumption in economic affairs. In 1854 he came out for improved education as a preliminary to Southern self-sufficiency. As he told one friend, "I think we ought to be educated in Southern States." By 1859 Pratt could congratulate himself on his fidelity to Southern institutions and interests: "For the past twelve years I have been patronizing Southern schools. I have carried it so far as to bring out eight children from Northern States, and educated them in Alabama." In an incisive barb directed at his fire-eater critics, Pratt boldly concluded, "Some pretend to show their works by their faith, I hope to show my faith by my works, so long as God blesses me with health and

⁶⁰*Ibid.*; *Montgomery Daily Mail*, Feb. 25, 1859. Pratt also relied exclusively on Alabama coal and convinced Jesse Perham, the Prattville Methodist minister who later left to establish the Autaugaville Cotton Factory and the Selma Mfg. Company, to do the same. W. P. Browne to J. W. Lapsley, March 10, 1851, in *Mobile Daily Register*, March 17, 1851.

strength."⁶¹ When secession came, however, Pratt supported the Southern war effort, even serving in the legislature of Confederate Alabama. Although he endorsed the Bell-Everett Union ticket in the 1860 election as a last attempt to slow what he feared to be a perilous and precipitous course for the South,⁶² the Lincoln victory and the predominant disunion sentiment of Autauga County pushed Pratt into the Confederate camp, however reluctant.⁶³

Pratt's embrace of the Confederacy, however hesitant, did not, as Eugene Genovese has argued in an otherwise brilliant essay,⁶⁴ represent a betrayal of class interest, nor can Pratt be accused of cowardice and trimming in the face of the enemy. Despite his appeals to caution, Pratt had always recognized that the peculiar nature and destiny of Southern civilization made secession inevitable. And even in his advocacy of modest industrialization Pratt never really challenged the core of antebellum Southern society—slave-based agriculture. His own large investment in Negroes and his public endorsement of the pro-slavery ideology, although somewhat colored by a desire to win favor with the planter elite, revealed an attachment to Southern principles that went beyond mere expediency. Pratt's arguments for manufactures and his Whiggish call for positive state action to support internal improvements, education, and banking all operated within the context of his theme of developing the Southern economy and people so as to protect the racial and social order in the South, not destroy it. For that reason Pratt's views were tolerated in Alabama, if not admired by some. Essentially, Pratt emphasized a change in tactics, not without social danger to be sure, but a tactical change which, unfortunately, would not occur in the South until the postbellum era when, in the wake of Yankee triumph, the Southern elite endorsed the platform of economic diversification and industry in order to revive the region and retain their cultural and racial

⁶¹Pratt to Joseph Russell, March 22, 1854, Folder 46, Pratt Collection; *Montgomery Daily Mail*, Feb. 25, 1859.

⁶²See for example, Prattville *Autauga Citizen*, Aug. 9, Nov. 15, 1860.

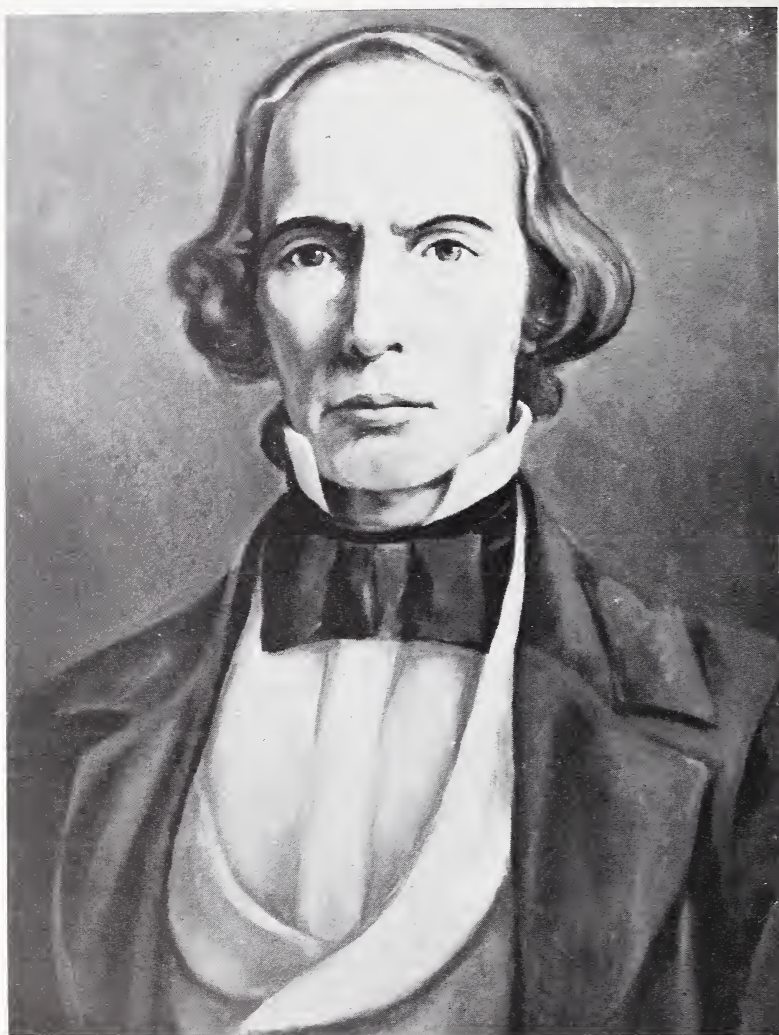
⁶³On Pratt's later role see DAB, XV, 170; and Pratt, *Daniel Pratt*.

⁶⁴Eugene Genovese, *The Political Economy of Slavery: Studies in the Economy & Society of the Slave South* (New York, 1965 ed.), 180-208.

hegemony.⁶⁵ Pratt only asked that planters advance against the hostile North from a position of strength by adopting the best of the New England capitalist world—thrift, energy, temperance—and molding it to fit Southern needs and conditions. Too, his compassion for the plight of the poor white, antedating the paternalistic approach that marked New South industrialists, satisfied Southern conditions regarding class. His social control techniques, widely employed by other Alabama cotton mill owners in this period, circumvented the disruptive, odious nature of most manufacturing cities while it prepared the ground for the company town of the New South era. In the capital-starved closed-market economy of the Deep South, Pratt, like his fellow manufacturers in the state, relied on patronage and capital support from the planter class. In that light Pratt's vigorous campaign for local manufactures and his pecuniary success at Prattville become all the more remarkable and attest to some degree of diversity in Southern thought even up to the last days of the prewar era.

⁶⁵On this point see Broadus Mitchell, *The Rise of Cotton Mills in the South* (vol. 39, *Johns Hopkins University Studies in Historical and Political Science*, Baltimore, 1921); and Paul H. Buck, *The Road to Reunion 1865-1900* (New York, Vintage ed., 1937), 176-202.

LANDON CABELL GARLAND



This portrait of Landon Cabell Garland was based on a photographic likeness of him during the early 1850's about the time when he was the President of the North East and South West Alabama Railroad. It was painted by the late Bertha L. Miller and hangs in the Reference Room of the Gorgas Library of the University of Alabama.

This print is used by courtesy of the Gorgas Library, University of Alabama.

LANDON CABELL GARLAND'S LETTER BOOK
WHILE PRESIDENT OF THE
NORTH EAST & SOUTH WEST ALABAMA RAILROAD
COMPANY
1854-1855

by

Rebecca Agnew Holt and Mary Lightfoot Garland

The railroad building fever which gripped Alabama in the 1850's was stimulated by the discoveries of Michael Toumey, professor at the University of Alabama and State Geologist, exposing the mineral wealth of the state. Among the roads projected to open the mineral regions was the North East and South West Alabama Railroad, which was to begin at a point on the Mississippi state line near Meridian, run through Sumter, Greene, Tuscaloosa, and Jefferson counties, and connect finally through Wills and Lookout Valleys with Chattanooga. During the late summer of 1853 a series of mass meetings and barbeques was held in Livingston, Eutaw, and Elyton culminating at a convention in Tuscaloosa where plans for the projected railroad crystalized.

On September 23, 1853, representatives from surrounding counties meeting in the old state capitol in Tuscaloosa heard Professor Landon Cabell Garland, who had been called to the chair, extol the value of such a railroad in opening the rich iron, coal, and limestone deposits that abounded in the vicinity. A company was formed, subscriptions were taken in cash and road bed building, and a charter was sought from the Alabama Legislature. The charter being duly granted on December 12, 1853, the stockholders met in Eutaw to elect their directors. Garland was again present, taking an active interest in the development of the railroad. The newly elected directors offered the presidency of the railroad to Professor Garland, setting the salary at \$5,000.

Landon Cabell Garland, the new president of this railroad enterprise was a native of Virginia. He had taught at Washington College and Randolph Macon College, serving several years as president before accepting an invitation to teach English and

Mathematics at the University of Alabama in 1847. Garland resigned the railroad presidency to assume the duties of president of the University of Alabama in October 1855. During the hard war years he kept the college open, and in April, 1865, as commandant of the University Cadet Corps, led his students in the futile defense of Tuscaloosa against General John Croxton and his raiders who destroyed the college buildings. For one more year Garland presided over the ashes and burned-out fortunes of the state university, resigning in 1867 to accept a position on the faculty of the University of Mississippi. From 1875 until his retirement in 1893, he was chancellor of Vanderbilt University and continued to be Chancellor Emeritus and professor of Physics and Astronomy until his death on February 12, 1895. He is buried on the campus of the Vanderbilt University.

There was little doubt in the minds of the promoters of the North East and South West Railroad that it was to be eventually a dominant part of a much larger railroad system. Immediately upon assuming his duties as president of the North East and South West Railroad Company, Garland sought a merger with the Wills Valley Railroad, but the combination did not come until he had returned to his academic profession. Before his death he was to see his dream partially come true by the absorption of his railroad into the Southern Railway System*

Most of Garland's life was spent in the academic world, but the few months that he was president of the railroad showed that his executive ability extended beyond the administration of the three educational institutions which he was to serve as president. His correspondence during those months also reflects interesting information on railroad development in the 1850's and supplements his *Exposition of the Advantages and Prospects of the Northeast and Southwest Alabama Railroad* published in

*For a fuller treatment of the development of the history of the railroad see James H. Clark, "History of the North East and South West Alabama Railroad to 1872," (unpublished doctoral dissertation, University of Alabama, 1949), and James F. Doster, *Railroads in Alabama Politics, 1875-1914* (University, Alabama, 1957). The North East and South West Alabama Railroad was merged with the Wills Valley Railroad in 1868 as the Alabama and Chattanooga Railroad. Becoming the Alabama Great Southern in 1877, it became a part of the Southern Railway Company in 1895.

Tuscaloosa in 1855. The letter book kept by Garland has not previously been available. Its contents are published here in full; the letters have not been altered from the original text which is in the possession of Mr. W. L. Fulton, Washington, D. C., through whose cooperation they are now printed.

Incorporators of the North East and South
West Railroad as named in the charter:

James Hair	Thomas Maxwell
W. Waldo Shearer	William S. Mudd
Stephen M. Potts	James McAdory
Samuel M. Gowdy	James Hendrix
Samuel L. Creswell	John W. McRae
Frederick Meriwether	Thomas C. Barclay
Alfred Battle	Arthur C. Beard
James H. Dearing	John I. Thomason
Robert Murphy	

Director of North East and South West
Railroad elected January 18, 1854

Sumter County—W. Waldo Shearer, John C. Phares

Greene County—Solomon McAlpine, J. J. Collier, S. L. Creswell, Alfred Clement, F. Merriwether

Tuscaloosa County—Thomas Maxwell, J. H. Dearing, A. B. Dearing, Alfred Battle

Jefferson County—William S. Mudd

Tuskaloosa Jan'y 23. '54

Colo: J. A. Whitesides¹

Dear Sir: The N.E. & S.W. A. R. R. Co. have at length organized under a Charter. The Board of Directors are to meet on the 5th of Apl. next in this city, for the purpose of deciding upon the connections of said road.

The interest you were pleased to manifest in our making a connection with your city through Wills Valley, encourages me to apply to you for specific, and if possible *official* information

¹Colo. James A. Whitesides of Chattanooga, Tennessee, was an official of the Nashville & Chattanooga Company, but not its president.

on the following points, viz. 1st On what terms can we use the 5½ miles, of N[ashville] & C[hattanooga] Road? Can that company transmit to us a definite proposition by the time designated: 2nd What is the distance from Chattanooga to Charleston or to Cleveland? Can you send us a copy of the Engineers Report of the Survey of said route? 3rd Will that company (the Charleston Co) guarantee to us equal terms of connection at Chattanooga? 4th Will the necessity imposed upon that company of running 5 miles down the Ga. State Road before diverging for Charleston put it out of their power to place us as to our connection, on equal terms with a N. & C. R.? Any other information that will be useful to lay before our Board, I will gladly receive. With sentiments of high regard I am

Yr. obt. Svt.

L. C. Garland, Pres. N.E. & S.W. R.

Tuskaloosa Jan'y 23. 1854

Judge B. F. Porter². Pres. of Wills Val. R.R. Co.

My Dear Sir.

You disappointed me very much in not coming down to my house and accompanying me to the meeting of our stockholders in Eutaw.

Before I left your letter covering the resolutions of your Board reached me, which I laid before our Directory. They were not acted upon, but were spread upon the minutes for future consideration. Your second favor of the 12th covering terms of consolidation, I found on my table, after my return

²Benjamin F. Porter of Tuscaloosa, Alabama resided in DeKalb County, Alabama after his return from Charleston, South Carolina, after 1851. He became president of Will's Valley Railroad Company and was one of its incorporators, February 3, 1852. He was prominent in political affairs of Monroe County, Alabama, having been elected a legislator and Judge of Monroe County as well as judge of the 10th Judicial Circuit.

home. They will be presented to our Board at its next meeting. Nothing was done on the subject of our N.E. connection. I did not hear even the expression of an individual opinion. The whole subject was committed to the Directory with an order to ascertain as precisely as possible all the advantages & disadvantages of the several routes open to our occupation. They meet on Wed. the 5th of Apl. in this city; and if it would suit your convenience to be down, it might be well for your Co. to give us your presence on that occasion. Should you come I must insist upon making you my guest, and I then but poorly discharge the obligations I am under for your hospitality to me, on my visits to yr. vally [*sic*].

With kind regards,
I am Yrs. &
L. C. Garland

Tuskaloosa Jan'y 23. 1854

Mssrs Holt, Dyer & Criffith³

Gent.

Our Board of Directors meet on the 5th day of Apl.

³"Mr. Holt" appears in the index of the microfilm of this letterbook as: Page 3—Judge Holt—Both Judge William White Holt of Augusta, Georgia, and Judge Thaddeus G. Holt of Macon, Georgia, were prominent during this period. In the memoirs of Judge William White Holt of Augusta, Georgia, we find him a member of the Knoxville Convention where the Georgia delegation projected in July 1836 the Western & Atlantic Railroad and that he remained active on the committee until legislative action was adopted. This Judge Holt presided in the Superior Courts of the Middle District of Georgia for nineteen years. He died January 14, 1864, Augusta, Georgia.

The Honorable Hines Holt of Columbus, Georgia, attended the Southern Commercial Convention assembled in Montgomery, Alabama, in May, 1858, as a delegate at large along with Elisha Dyer of Georgia's 5th District.

The Reverend Edwin Dyer of LaFayette, Walker County, Georgia, was one of the Commissioners of the Charleston & Chattanooga Railroad Company.

Mr. William Griffith was an incorporator of the Cherokee Plankroad Company, February 9, 1852.

Tuscaloosa Jan'y 28. 1852

Messrs. Hall, Ayer & Griffith

Gent.

3

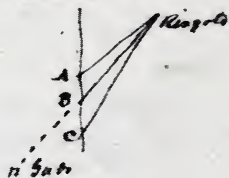
Our Board of Directors meet on the 2nd day of Sept next, & it is very desirable that they should have all the necessary information relative to the advantages of the Ch. Valley route. We want the report of an actual survey from Ringold to Cleveland, if not by an engineer, at least by a trustworthy surveyor, so that no doubt may hang over that distance. My memorandum made at Cedar Bluff is 26 miles. But a gentleman raised in Cleveland, informs me that it is several miles longer. Let also the route by Opelika to the Charleston R.R. at its most practicable point of junction be measured and reported. Send us a copy of the Survey of the Ala. Canal & Chas. Riv. R.R.

There is also another point on which we desire specific information. Corry reports three surveys from Ringold to the State line. How does the Gordon survey join to either of them & if so to which?

The fig. will explain the point of enquiry. Corry has surveyed R. A. R. B. & R. C. Does the survey from Gordon to the State line, connect with either, & if so with which?

And if with neither, what will be the distance from Gordon to Ringold by the Mountain valley?

We shall want very specific information on all these matters; and if neither of you can come down, I hope you will furnish it by writing at full, and transmitting as many reliable and authentic documents as possible.



next, & it is very desirable that they should have all necessary information relative to the advantages of the Ch. Valley route. We want the report of an actual survey from Ringold to Cleveland, if not by an Engineer, at least by a trustworthy surveyor, so that no doubt may hang over that distance. My memorandum made at Cedar Bluff is 26 miles. But a gentleman raised in Cleveland assures me that it is several miles longer. Let also the route by Opelika to the Charleston R.R. at its most practicable point of junction be measured and reported. Send us a copy of the Survey of the Alab. Coosa & Chatt. Riv. R.R.

There is also another point on which we desire specific information relative to the advantages of the Ch. Valley State line. Now does the Gadsden survey join to either of them & if so to which? The fig. will explain the point of enquiry. [See plate facing for diagram.] Corry has surveyed R.A. RB & RC. Does the survey from Gadsden to the State line connect with either, & if so with which? And if with neither, what will be the distance from Gadsden to Ringold by the Broomtown(?) valley? We shall want very specific information on all these matters; and if neither of you can come down, I hope you will furnish it by writing at full, and transmitting as many reliable and authentic documents as possible. The subject of our N.E. connection has never been discussed, and public opinion is still unsettled in regard to the most advantageous route. You may however rest assured that our Directors, to whom the matter is committed, will give the fullest consideration to all the advantages of your route.

What has been your success with the Legislature of Georgia? I shall be pleased to hear from you at your earliest convenience. With Sentiments of high regard I am Gent.

Yr. obt. Svt.

L. C. Garland

N. B. In the American R.Way Guide I find that it is 13 miles from ~~Chattanooga~~ Cleveland [Tenn.] to Charleston [Tenn.] On my memo it is but 8.

Tuskaloosa Jan'y 23. 1854

Colo Wm O. Winston⁴

My Dear Sir.

On my return from Eutaw, whither I had gone to attend a meeting of the stockholders of the N.E. & S.W. R.R. Co. I found on my table your two favors, the one of the 7th the other of the 14th. Nothing was done at the meeting on the subject of the N.E. connection.

Before starting for Eutaw, I recieved [*sic*] from Judge Porter, Pres. of the Wills Valley R.R.Co. a letter covering the resolution passed by his Board [illegible] . . . These I laid before our Directory, and they ordered them spread upon the minutes. Another letter from the same source, dated Jan'y 12th, and enclosing Forms of consolidation did not reach me in time to be disposed of in the same manner. I will however bring them before the Board at its next meeting.

I shall not have it in my power to attend your meeting on the 1st Monday in February. I will request our agent Jos. W. Taylor to attend, if he returns in time from, Georgia.

There is one point of difficulty to which I beg to call your attention, namely, the terms upon which the consolidated company can run their own engines and trains over the Nashville and Chattanooga Road to the City of Chattanooga. I am now corresponding with that company in relation to the matter; but you may materially promote such an arrangement as will be satisfactory to all the parties.

⁴Col. William O. Winston of DeKalb Co., Alabama—From 1850 for 15 years he served in both branches of the Legislature. Because President of the Will's Valley Railroad Company, which position he held up to the time of the war and since the war until 1867—He originated the internal improvement bill giving State aid to railroads, drew and reported it, and used his influence for its passage. He was an incorporator of the Gainesville and Narkeetah R. R. Co., January, 1836; Wills Valley R. R. Co., February 3, 1852; Gainesville and Mississippi R. R. Co., February 10, 1852; Georgia and Ala. Petroleum Mining and Manufacturing Co., February 23, 1866; New Orleans, Mobile and Chattanooga Railroad Co., November 24, 1866; Gainesville Manufacturing Co., February 19, 1867.

Our Directory meet on the 5th of Apl. at Tuskaloosa, at which time it may be well to have all needful information on the subject.

I recur with much ~~pleasure~~ to the few days I spent in your society. It will give me great pleasure satisfaction. to cultivate your acquaintance more extensively—and I hope an opportunity for so doing will not be wanting.

Remember me kindly to your family, and believe me to be with very high regard,

Yr. obt. Svt.
L. C. Garland

Tuskaloosa Jany 26. 1854

J. Was. Davis Esq.⁵

Dear Sir: Not knowing any one else upon whom I can impose a favor to our R.R. enterprise, I take the liberty of requesting you to order for our Engineer Corps two tents 9 feet square, made of the very "*stoutest tent cloth, completely water proof*, also two plys for the same, and two awnings to extend in front of the tents." The foregoing are the words of our Engineer, writing to us on the subject. Get some regular tent maker to execute the order to the letter, and let him look to me as President of the N.E. & S.W. R.R. Co., for payment The Engineer of the Mobile and Ohio R. R., if in your city, can give you specific information as to the quality of the material & the proper cost &c. While we want the best article, we do not want to pay more than its worth. Direct the maker to ship them to Thos. Maxwell & Co., Tuskaloosa. Immediately on their reception, I will send a draft for the amount of the bill.

⁵James Was. Davis of Bibb Co., Ala.—He was an incorporator of the Wetumpka & Montevallo R. R. Co., February 17, 1854. With slight intervals from 1832 through 1867, he has been in one branch of the General Assembly or the other continuously.

I will be glad to hear at your earliest convenience how Tom comes on.

I am very Resply

Yrs. &c

L. C. Garland

Tuskaloosa Jany 28 '54

W. W. Shearer Esq.⁶

Dear Sir.

I have received from Mr. Sanford a letter, which renders it necessary that I should go up immediately to the line of survey, for the purpose of giving him instructions. It is also necessary that I should see him before meeting the President & Directors of the Southern R. Road Co. As soon as I return from this tour to St. Clair, I will start for Brandon via Livingston. If you should not be at home, leave the map of our connection with some one who will deliver it to me. It is very important to me in arriving at a just conclusion concerning our interests. I will advise you of the day of my arrival at Livingston if it is possible, so that you may get up an audience as you expressed a desire to do.

With sentiments of the highest regard, I am

Yr. obt. Servt

L. C. Garland

⁶W. Waldo Shearer of Sumter Co., Ala., was an incorporator of the N. E. & S. W. Ala. R. R. Co., December 12, 1853, and also a member of the Board of Directors.

Tuskaloosa Jan 30. 1854

Rob: Jameson [*sic*] Esq.⁷

Dear Sir: I do not know that the N.E. & S.W. R.R.Co., will ever agitate the question of a tax in the several counties along the line of improvement. But in case it may be desirable to appeal to the people for aid, in a mode that imposes the burden in the most equitable manner upon the whole community, it may be well to provide by law for such a measure.

If it meets with your views I will thank you in behalf of the company to introduce such a bill, and to give it such an equitable shape, in apportioning the taxation, as will be likely to render it most acceptable to the people.

With sentiments of very high regard, I am

Yr. obt. Svt.
L. C. Garland

Tuskaloosa Jay [*sic*] 30, 1854My Dear Mr. Taylor.⁸

To you we entrust solely the procurement of the right of way from our sister states. This right will be necessary for us to obtain from Mississippi, and also from Tennessee. It will never do to join the Southern road at the State line, or to place

⁷Robert Jemison, Jr., of Tuscaloosa Co., Ala., served in the Senate prior to 1837; in House 1840, 1841, 1844, 1845, 1847, and 1849; in 1841 he was returned to Senate, of which he continued a member for 12 years. Mr. Jemison also projected and carried through the charter of the N. E. & S. W. R. R. He was also an incorporator of Sipsey Bridge & Causeway Co., January 10, 1835.

⁸Joseph W. Taylor of Greene Co., Ala., was elected in 1845 a member of the House of Representatives at age of 25. In 1847 he was again elected to House and served through 1st session at Montgomery. He served in the Senate in 1855 and was made chairman of the Committee on Education and was elected a Representative to Congress in the fall of 1865.

our business in the power of a trunk of the Mobile R. extended to meet us at the same point.

Moreover, as to our N.E. connection, whether we take the Will's Valley, or the Chattanooga valley route, we shall be obliged to pass through a portion of the territory of Tennessee, and so are under the necessity of obtaining the right of way from that State.

Colo. Whitesides of Chattanooga promised me last fall to attend to the procurement of a right of way through the Will's Vally, [*sic*] and more recently at the Cedar Bluff convention the Comrs. of the Coosa & Chattooga Co. in Georgia, promised me to procure for their road the right of way in Tennessee provided they succeeded in their own Legislature, in obtaining the privilege of crossing the State Road.

I would advise you to write to Colo. James A. Whitesides, and to Mr. Dyer, the former in Chattanooga, and the latter in La Fayette, Walker Co., Ga., for the purpose of ascertaining what they have done. And if nothing has been done, I would advise a visit to Nashville, before the Legislature of Tenn. adjourns.

If however, you ask for the right of way, in a line from Ringold to Cleveland, you must anticipate opposition from the Chattanooga interest. I mention this that you may proceed cautiously. I will further suggest asking for the right in general terms, such as passing through any part of Tenn. in order to connect with Knoxville.

I write on the eve of starting for the line of our survey, & of course in haste.

Yrs truly

L. C. Garland

Tuskaloosa
Feb: 9. 1854

To Mr. Marshall⁹
Pres: of S.R.R.

My Dear Sir:

I desire to see the President and Directors of the Southern Railroad, on business of importance, touching our mutual interests, as affected by our junction with the Ohio & Mobile Road.

I expect to reach Brandon on Saturday the 18th; and if on the following Monday or Tuesday, you can secure to me an interview with your Board, you will greatly oblige me.

I am Very Resply
Yr. ob. Svt

L. C. Garland
Pres. N.E. & S.W. R.R.

N.B. If you prefer holding the interview at Jackson, inform to that effect at Brandon.

Tuskaloosa Feb. 9 1854

To
E. D. Sanford Esq.¹⁰

There has been no meeting of the Directory of the North-east and South West R.R. Co. since its organization, and consequently no action, defining your relation to the company, more precisely than that had upon the part of the Commissioners who engaged you to survey a route.

⁹T. A. Marshall was president of Southern Railroad of Vicksburg, Mississippi.

¹⁰E. D. Sanford was Chief Engineer of the N. E. & S. W. R. R. Co. He was considered a veteran railroad builder at this date.

Now, therefore, by virtue of the authority vested in me, as the President of the said company, you and your corps of Engineers are retained in the service of the company on the same terms agreed upon between yourself and the Commissioners; until such time as the Directory shall take more specific action in the matter.

And in the performance of your duty you will be guided by the following instructions, to wit:

1. You will extend the survey of the experimental line, to the town of Gadsden.
2. You will then return with your corps to the vicinity of Livingston, and commence the location of the Road, thence in the direction of Eutaw; without delaying for the purpose of making an estimate of cost from the notes of the experimental survey; and deferring the location below that point until the company shall have decided upon their Southwestern connection.
3. You will press forward the location with all possible expedition, laying aside for this purpose any other work, that can be deferred; inasmuch as the operations of the Company in obtaining stock, will be seriously affected by the progress of this work, many sections of the country declining to subscribe stock until the location is decided upon.
4. In making the location, you will adhere to the words of the Charter and present an estimate of a line run according to its requirements. But if at any point, the location involves an unusually large expenditure of money, you will report a better line, with the least possible divergence from that designated by the Charter; and will submit the whole to the Company for their future consideration.
5. After the general location is made, you will patiently and carefully spend what time may be necessary to perfect the same: so that you may be able to place the road upon the shortest and cheapest route that the topography of the country will admit of.
6. In regard to rival routes that spring up in every

neighborhood, you will before your final report, and at such times, as will least interfere with the progress of the work, make a personal reconnaissance [*sic*] of the same; but you will not put the company to the expense of an actual survey of any such route, when you are satisfied that it offers no advantage over that already surveyed.

7. In a word you will take all measures necessary to show, that your final location, is the very best that the country will admit of.

8. You will be expected to settle your accounts with the company quarterly, making the first settlement on the 5th of Apl next.

9. You will be expected to communicate to the President, any matters that you may from time to time deem of importance to the company.

L. C. Garland
Pres. of N.E. & S.W. R.R.

Tuskaloosa
Feb: 9. 1854

J. W. Davis Esq.
Mobile

Dear Sir:

Our Engineer is now with me, and although my letter quoted his language to us, yet he desires me to say—that by *water proof* tents, he did not mean that the material should be gum elastic, or painted cloth: but very stout cloth well put together. The Fly makes the tent water proof. Do not let the maker fall into any error on this score, so as to send us a very costly article.

Yors. very truly
L. C. Garland

Tuskaloosa

Feb. 9, 1854

E. D. Sanford Esq.

Dear Sir.

It was with surprise and regret, that I read the letter you left in my hands on your departure from my house. While travelling together I asked you to inform me in respect to all the usages of Railroad companies, that I might in the discharge of my duties avail myself of the experience and observation of others. On your stating that you expected to be appointed Engineer in Chief of the road by the Directory, if you continued in their service, I told you that I presumed the Directory had taken no action on the subject, either because it was forgotten or because they regarded the approval of the proceedings of the Comrs by the stockholders a recognition of your appointment, or because they adjourned without being fully organized. I assured you that their omission was not the result of a want either of courtesy towards you or of a disposition to continue your services. And when you expressed delicately your embarrassment in acting without either authority or instruction, I stated my fears that we could not get a meeting of the Directors before the 5th of Apl, the time appointed for their quarterly convocation: but that to relieve you from all embarrassment, I would assume under the powers given me, to continue your service until that time on terms agreed between yourself and the Commissioners, and give also general instructions in regard to the conduct of the survey. I fully advised with you in regard to all matters touching the survey & location of the road, and felt gratified that I could fully adopt your suggestions. And I understood it as agreed between us that I was to draw up according to those views, a paper which should confirm your connection with the company and that of your corps as it had before existed &c and to point out the general features of the survey.

While you were a guest under my roof I drew such a paper up, and read it to you and requested you to suggest any alterations either in matter or in form. I asked the question pointedly,

whether the paper in all respects was agreeable to your feelings. You stated that it was, or words that made that impression on my mind. You will therefore understand the surprise with which I read your note, declining to act under the authority of that paper. I am sorry that you were not more frank when I thus approached you to know your views upon the subject. I certainly should not have obtruded instructions upon you. As it is, I hope you will allow me to withdraw that paper and that you will not predicate any of your actions upon it.

I have ascertained, since you left, that Mssrs Battle & A.B Dearing of Tusk, and Mssrs Shearer & Pharis of Sumter are absent from their homes; With no hope of Success, therefore, could I call a meeting of the Directors at the present time: But on my return from Brandon, I will call a meeting at Eutaw, when I hope the matter may be put in a shape, more conformable with your views, and more agreeable to your feelings.

I am Very Resply.

Yr. obt. Svt.

L. C. Garland

Tuskaloosa, Ala.

Feb: 10. 1854

Mssrs. Holt Patton & Dyer
Comrs. of the C. & Ch. R.R. Co. Ga.
Lafayette Ga.

Gent:

I returned home on yesterday after an absence of 10 days and found two communications from you, the contents of which I have maturely considered.

In regard to the proffered assistance from Selma, it will prove deceptive. They are altogether dependent upon State

aid to complete their own road, And should they do so, and we form a connection through Wills Valley, they would not be able to compete with a road so much cheaper and shorter than ours.

If we connect with you, we will subscribe the iron, to be delivered after the completion of our own road. At least that is my confirmed opinion.

Your letters therefore do not convey to my mind any thing particularly alarming, except the rejection of your application by the Legislature of Georgia. Indeed I find on my table, a letter from Mr. Taylor announcing the defeat of his mission. I regret this exceedingly as it affects the proposition of our connection.

As you ask my advice, I will give it freely.

[See plate facing for diagram.]

Have a line surveyed from Lafayette to the point D. from which the Chatt. & Charleston line will diverge. Also another from Lafayette to the point E, where the State Road crosses the state line; and thence from E to F. It seems to me that your Charter authorises you to run either to D or to E as you may elect. Certainly to E, within one foot of the state line. If Tennessee will then give us the right to run from E to F, or even to Charleston if favorable terms of connection with the Chatt. & Charleston Road cannot be obtained, the connection under your present Charter is still possible.

Should the two roads at the Ga. line not be continuous, but separated a few feet, the transfer of passengers would involve no expense to either company, as the baggage trucks could be mounted on platforms and transferred without breaking up and transporting trunks &c. in detail. And such a connection, as it would secure substantially the objects sought to be secured by your application which has failed, would soon be changed into one more eligible, by the recession of the legislature of Ga.. as the motive for their late refusal would no longer exist.

I shall advise our agent to visit the Legislature of Tenn. and obtain the right to run our road either D or E to F or to Charleston, unless you have already obtained for yourselves such a privilege through Mr. Dyer.

Now whether the proposed route is shorter or more practicable than that through Dade, I have no means of conjecturing. I cannot say what the probability is that our company would be disposed to connect over the route as suggested. They will take the shortest and best that offers itself, and before the rejection of your application, I thought your route more direct, and less encumbered with inconvenient connections than the other. I think an agent of yours had better attend the meeting of our Directory of the 5th of Ap. next, furnished with all information necessary to a final settlement of the question.

Should you connect with us, we will join you at the State Line, and the people of Cherokee along the line, have in many cases assured me, that they will take stock in our road, in preference to the Ala. Chatt. & Coosa R.R. If that company proves disinclined to make a part of the connection just let them go their own way, without opposition. The people will see their true interests, and will act accordingly.

Since writing the above I have received a paper containing the statement that the Charter through Dade is granted. Unless there are some serious difficulties in connecting at Chattanooga, this fact will greatly influence the disposition of our stockholders to connect with that line. Still however, investigate your advantages under your present charter, & see what they are.

Yrs. very Resply.

L. C. Garland

Tuskaloosa
Feb: 10, 1854

R. Jemison Esq.

My Dear Sir.

I drop you this note to say, that if you think it wise to

introduce a bill to submit to the people of the counties along the line of the N.E. & S.W. R.R. the question of taxation, it will be important in my judgment to frame the law so as to scale the amount of taxation to the distance of property from the road: making the amount merely nominal beyond one day's travel of a waggon and team to and from the road. This will be likely to obviate any serious objections to the law.

It will certainly be inexpedient to agitate at this time the subject of taxation; and if our Legislature met annually, it would be best to let the subject alone for the present; but it may become necessary & advisable at some future time, to urge such a policy upon people, and the prop. time for so doing may arrive before another meeting of the Legislature.

I think it would be well to avoid the word *taxation* which is so odious in the public year [*sic*] and substitute therefor the word *subscription* or some other more consonant with the nature of the measure.

I would respectfully suggest a convocation of, and a consultation with, the delegates along the line, and the propriety of introducing the bill at the present session. If it is likely to produce prejudice against the enterprise, it should be abandoned.

With sentiments of high regard, I am

Yr. obt Svt.
L. C. Garland

Tuskaloosa. Mar. 12. 1854

Colo. Whitesides

Dear Sir.

I have just touched at home a few hours on my way to Washington, and can only make a very brief reply to your letter.

Our occupancy of the Wills Valley will depend upon the connection we may be able to make at Chattanooga. Will the E. Tenn. & Ga. roads favor us more by a connection in Chatt., than at Cleveland? In plain words, will that company, give us through tickets in preference to the Selma Company, that will unite at Cleveland if we do not? If so, we will unite at Chattanooga.

2ndly Is the road around the point of Lookout Mtn. graded wide enough for two tracks? And will the Comrs write us word what they will sell the right of the second track for—This has been our greatest difficulty—It will not answer well for two companies to use the same track, especially if their business should be heavy—And if there is not enough space for two tracks, will it not be exceedingly costly to excavate another from the solid rock? We are anxious to connect at Chattanooga, if it shall appear to be our interest to do so. You naturally desire that we should do so. Will you therefore obtain such information as may be important to our Board in deciding so interesting a matter, and transmit to me prior to the 5th of Apl. on which day we meet. Or what is better, can you not come down & attend our meeting as a delegate from your City? We wish to act judiciously; with all the light we can possibly obtain. But the main points are those indicated above, the road around the Lookout, and the favor extended to our road by the E.T. & Ga. Company.

In very great haste, I am with high regards,

Yr. obt. Svt.
L. C. Garland

Tuskaloosa
Apl. 7. 1854

To The President &
Directors of the Will's Vally [sic]
Rail Road Co.

Gent.

Enclosed you will find the resolutions of the N.E. & S.W. R.R. Co, adopted this day, relative to the North Eastern connection of the road.

Our Board was favorably impressed with all the features of your route, but that of building a track around the point of Lookout Mtn., or of using in common a part of the track of the Nashville & Chattanooga company.

I am directed to offer specific terms to that company, respecting the use of its road, in case we consolidate with you—so that the doubt upon this point will soon be cleared up. Our Engineer also is instructed to estimate the cost of building an additional track around the point of Lookout Mtn. We do not doubt from Mr. Whitesides letters, that these points of inquiry will be satisfactorily cleared up.

We regretted that your company had no delegate in attendance at our meeting. There were four from Ga., but the correspondence I had held with your company, and specially with Colo. Whitesides, enable me to present the features of your route, so as to compare favorable with those of the Chattanooga route. Their line to Cleveland was only $\frac{1}{4}$ of a mile shorter according to Cory' [*sic*] survey. They claim however to have a different line shorter by 5 miles. Our Board has consented to await a resurvey, only because there were unsettled matters relative to point of Lookout Mountain. Had your company appeared with a satisfactory showing on that point, we should have been ready to accept your terms of consolidation, with a single modification, to wit, that the debts of your company be paid out of your own stock, and that the first collections made be appropriated to the discharge of them. Will you please inform us at your earliest convenience of your willingness to this modification.

We have closed our meeting with great encouragement; and there is no reason to doubt the final success of our enterprise.

I am, Gent. with
high regards

Yr. obt. Svt.

L. C. Garland

Pres. N.E. & S.W. R.R.

Office of the N.E. & S.W. Ala. R.R. Co.
at Tuscaloosa Apl. 7. 1854

Gent.

In case the N.E. & S.W. Ala. Railroad Company, shall consolidate with the Will's Valley Company, we shall want, for some time at least, to exercise the right running over $5\frac{1}{2}$ miles of your track terminating at Chattanooga, and ultimately the right of widening your road bed for an additional track of our own.

The object of this communication is to enquire, whether or not, The Nashville and Chattanooga Co. will guarantee to the N.E. & S.W. Co. these desired rights upon the terms following to wit:

1. That the right of using a part of the track of the N. & C. R.R. Co. be guaranteed for three years, if desired for so great a length of time.

2. That three years shall be given by either party in order to be a legal dissolution of the contract

3. That the passage of the trains over the track used in common, shall be regulated by a schedule agreed upon by the contracting parties.

4. That the N.E. & S.W. R.R. Co. shall pay to the Treasurer of the Nashville & Chattanooga Co. half the gross income derived from the use of the track.

It is very desirable to obtain from the Nashville & Chattanooga R.R. Co., the right in perpetuity to build an additional track by the widening of their road bed around Lookout Mountain—and also to switch in and out of their track, for 500 or 600 feet, at the most difficult point of the bluff. As this privilege can in no wise interfere with the use of their own track, and can be to them a source of no loss or inconvenience, the N.E. & S.W. Co. hope, that the N. & Ch. Co. may grant the privilege without compensation, and in the spirit of friendly aid to a company that will ever be ready to reciprocate the favors it may receive from others.

Desiring to hear from you at your earliest convenience, I am Gent.,

Very Resply.

Yr. obt. Svt.

L. C. Garland

Pres. N.E. & S.W. Co.

To Messrs.

)

) Comrs of;

) Nash. & Chatt. R.R. Co.

)

Office of the N.E. & S.W. ALA. R.R. Co.
at Tuscaloosa, Ala.

Apl 7. 1854

My Dear Sir¹¹

The Directory of this Co. has just closed a meeting at which it was desired that I should hold at once a conference with your company respecting your views touching a connection of the N.E. & S.W.A. R.R. and the E. Tenn. & Ga. R.R. either at Cleveland or Chattanooga or some intermediate point. Your views will materially affect the decision of this Co., in regard to a consolidation with the Chattooga Vally [sic] Co., or with the Wills Vally [sic] Company. We were disposed, other things being equal, to connect at Cleveland in order that no other road might interpose between yours and ours. We learn however, that you are to build the road from Cleveland to Chattanooga, so that, at the latter place, we can also connect without the intervention of any other road. The question now is whether you are indifferent as to the point of connection, and whether you will show us the same favors, connecting at either of the points. My engagements do not allow me to visit your company, but I

¹¹The letter was probably addressed to Col. J. A. Whitesides.

hope that we may receive [*sic*] a reply, giving us as full and explicit information upon the subject, as I could have procured by means of a personal interview.

The Chattooga Company are specially interested in the matter and propose sending an agent to confer with you in relation thereto. Our interests are the same with theirs, should we finally conclude to occupy the Chattoga Vally [*sic*]. I shall be pleased to hear [*sic*] from you at your earliest convenience.

In haste—Yrs. Very Resply
L. C. Garland

Tuskaloosa Apl. 7. 1854.

E. D. Sanford Esq.
Eng. in Chief N.E. & S.W. R.R.

My Dear Sir.

The Board of Directors of the N.E. & S.W. Ala. Co. have unanimously elected you Chief Engineer of the Road, & have given you the right to organize your corps of assistants. During the location they have continued the rates of compensation as agreed upon between yourself and the Comrs.: and after the construction begins, they have acceded to the terms of your letter addressed from Camp Colvin, making however \$1200 the maximum salary for assistants.

They also, from and after the same period, have authorized you to employ your uncle as consulting Engineer: at a compensation not exceeding \$1500 pr. annum. They do not wish to incur this additional expense until it is absolutely necessary to do so, and then for so long a time only as may be absolutely required by the nature & progress of the work.

It is yet a very doubtful matter whether we shall be able to prosecute our enterprise. It is very difficult to meet the

current expense of the year, and there was very great discouragement arising from the unexpected costliness of the survey. The outfit has cost \$1361.20 and the current expenses of the survey besides the outfit have amounted to \$861.81 pr. month. We hope that you will institute as rigid a system of economy as is consistent with the efficiency and comfort of the Corps—and the Board desires me to say, that, inasmuch as considerable expense has been incurred to secure the corps all the comforts of camp life, hotel expenses be reduced as much as possible.

We have lost a good many subscriptions for the want of cultivating the good will of those interested in routes, that are supposed to [be] superior to that you have selected. You will not understand the Board as sharing such opinions—but they feel the importance of conciliating those communities in which they have to make appeals for aid in building the road. They wish to disturb as little as possible the final location of the road, but they think that your personal reconnaissance of such lines would give satisfaction to the public, and not seriously retard the operations of your Corps. Their views were expressed in the following resolution, to wit:

“Resolved—That it is important to the operations of this Company in procuring stock that the friends of the various rival routes along the line be conciliated as far as possible, and that with a view to this end, the Chief Engineer is instructed to make a general reconnaissance of such routes as claim a superiority over the trial line: but that time and money are not to be expended in the actual survey of such, unless upon personal examination the Engineer considers them worthy of the same—and that such personal reconnaissances be made if possible, in advance of the approximate location.

“Resolved: That this Company stands pledged through the Comrs. to an examination of the route between Eutaw and Tuskaloosa lying eastward of the Warrior River, and that the Engineer in Chief, be instructed to make a personal reconnaissance of the same, before departing from the vicinity of Tuskaloosa.”

You asked for an interpretation of the localities named in

the Charter. The opinion of the Board was expressed in the following resolution to wit:

“Resolved—That the Engineer in Chief be instructed in making the final location to adhere to the location named in the charter, & in respect to the phrase “at or near” Bluff Port, he will present estimates of two lines, the one crossing directly at Bluffport and the other—at the most practicable point near that place, above or below.”

In looking over the minutes I do not see any other resolutions in which you [are] specially interested. I should be glad to fall in with you, on my way to Eutaw, were [*sic*] I address the people on next Monday.

I thank you for the promptness with which you sent the map of the survey in the vicinity of Gadsden—It answered very fully the purposes of the Board—and saved us from being led into a serious error by the Georgia delegation.

An Executive Comtee has been appointed at your suggestion composed of Mssrs Shearer, McAlpine, Dearing, Battle & Mudd—any one of whom with the Pres: or, any two of whom in his absence may act.

I have a large correspondence to bring up and write in haste.

Yrs. Very Truly
L. C. Garland

Tuskaloosa June 1854

Saml. Hawkins Esq.¹²
Summerville

Dear Sir.

¹²Samuel Hawkins was of Summerville, Chatooga County, Georgia.

J. N. Anderson, Esqr. was a leading industrialist and railroad magnate of this period in Virginia. It is recalled that Mr. Garland also was a native of Virginia.

Your favor of the 28th reached me today. I am gratified to learn the success of your railroad enterprise. As to our N.E. connections, we have done nothing since your visit. That matter will be determined by our Board at its next regular meeting in Eutaw the 5th of July. If you cannot have a representative there, which is best, write fully giving authentic statements of distances, cost of grading, and subscriptions raised. These are the points upon which our Board desires information, and upon which their decision will rest.

We are greatly encouraged in our enterprise. We shall get the grading to the Wills Creek and six hundred thousand dollars, by this fall. We expect to go to work on the first of Jan'y

Yrs truly
L. C. Garland

Address me immediately to
Eutaw Greene Co. Ala. where
I shall [illegible] & receive your communications
in time for our meeting.

Tuscaloosa June 7. 1854

Colo. Jas. Whitesides
Chattanooga

Dear Sir.

I have just this moment received a letter from Mr. Stevenson, Pres. of N. & Ch. R. R. Co., favourable to our connection at your city.

If you can not attend the meeting of our Directory in Eutaw, Greene Co. on the 5th of July, will you write to me (directing to that place) a full and if possible authentic statement of the distances along your line to Cleveland [*sic*] and also your views in regard to the advantages of a connection at Chattanooga.

Let me also know the terms on which we can procure suitable ground for a depot in the city, and what its situation would be relative to the grounds of our connecting roads.

Will your city be disposed to subscribe \$50 000 additional to its former subscription to the Wills Vally [*sic*] Co. and to make the whole payable under our Charter in one, two, & three years beginning with 1855? In short, if you do not come down, or send an agent, write fully on every point necessary to the decision of our Board —

Our prospects are brightening. Notwithstanding our perplexities growing out of hostility of rival routes in Greene & Sumter, we shall during the summer obtain our grading to Wills Creek, and Six hundred thousand dollars.—which last, or as much as may be necessary, we propose to use as a bonus to a northern company to manufacture our rails on the line of our road, and to take our stock in pay for the same.

If you can yourself be present in Eutaw on the 5th, you will serve your own interests most effectually, and perhaps secure the connection of our road. Do come.

With very high regard
I am Yr. obt. Svt.
L. C. Garland

Tuskaloosa June 7. 1854

My Dear Sir.

At the hazard of being thought troublesome, I drop you a line to procure information on the following points, not fully given in your former communication.

1. How many superintendents would be required for a set of rolling mills, to turn out 10 000 tons of rail road iron pr. annum.

2. How many slaves would be required? and whether under proper superintendence, slaves could do the work.

3. What do you give for pig iron? What is the profit you pay the producer, that we may form an estimate of the prime cost of making pig iron.

4. What is the cost of purifying the pig iron? and what number of hands does that department require?

5. Have you any knowledge of Rentor's process? and what do you think of it? Does it seem easy, & is it easy of application?

You will confer a great favor on our Directory, if you will answer the above queries with as little delay as possible, and will also give any other information relative to the iron making business.

Would it be difficult to procure quality and skill for the superintendence of our works? We would give the largest salaries to secure these qualifications—but where are they to be found? and how can we guard against their opposites? We are ignorant—but we are cautious, and do not mean to take any false step, if we can prevent it.

With very high regard

Yr. obt. Svt.

L. C. Garland

Pres. N.E. & S.W. Ala. Railroad

J. N. Anderson Esqr

Richmond

Va.

Tuskaloosa

June 7. 1854

Rev. Edwin Dyer—

Dear Sir.

I have paid a flying visit to my family and find on my table your favor of the 24th ult.

Since you were here, we have done nothing towards closing our N.E. connection—but to write to the Nash. & Chatt. Co. to know on what terms we may run over part of their track. There has been no meeting of the Board since, nor will there be until the 5th of July at Eutaw, at which time if all the data are before us, we shall certainly decide the matter. Do come down, or otherwise send to me, directed to Eutaw, all documents from companies and engineers, that relate to distances, cost of grading, amount of stock actually and likely to be raised, that your interests may be properly represented, and we enabled to act judiciously—

Our prospects are brightening daily.

In great haste.

Yrs. truly
L. C. Garland

[Note: More than five months passed without correspondence or press news. This is particularly regrettable as the Board was scheduled to meet July 5, 1854, Eutaw.]

Office of the N.E. & S.W. A. R. R. Co.
Tuskaloosa Nov: 20 1854

C. G. Gunter Esq.¹³

The joint communication of yourself and J. H. Gindrat¹⁴

¹³Charles G. Gunter of Montgomery County, Alabama, was an incorporator of the Montgomery & Selma R. R. Co., February 21, 1860.

¹⁴J. H. Gindrat (John Gindrat) of Montgomery County, Ala. was a member of the Board of Directors of the N. E. & S. W. Railroad.

arrived at this office during my absence on the lower part of our line, from which I did not return until yesterday. In reply I have to say that the facilities for manufacturing iron on the line of the road are reported by the state geologist and by practical iron masters, as exceeding those of any locality in the U.S. Wishing to avail themselves of these advantages and to educate the country in one of its most important industrial pursuits, it is the decision of the stockholders of the N.E. & S.W. Railroad either to make the iron, or procure the making of it in the county of Jefferson. For the purpose of accomplishing this object, if it be deemed our true policy, we have \$600,000 which has been set apart for this purpose—not to be touched for any other purpose whatsoever than that of clothing the road with iron. We have besides the grading of the whole road (200 miles) provided for with the exception of a few miles in Greene.

We have not yet so far matured the plans as to make definite propositions, but we shall be glad to hear from you on the subject, if you have on your part any propositions or suggestions to make.

I am Very Resply

Yr. obt. Svt.

L. C. Garland

Pres. of N.E. & S.W. R.

Tuskaloosa Jan'y 13. 1855

To

The local Directory of Sumter Co.

Gent.

By an order of the Directors of the N.E. & S.W. Ala. Railroad Company made at their late meeting at Eutaw, you are to appoint an agent to canvass your county actively during several weeks, in order to raise its proportion (say \$25 000) of

the fund designed to meet all the expenses of the company the next three years. Nothing was said about compensation, that being left to your judgment and the circumstances of the case. It occurs to me that the most satisfactory compensation will be a specified per. cent. upon the new stock raised, for then your agent might attend in part to his private matters, and yet canvass the county thoroughly by the next meeting of the Directors on the 29th of March. The compensation ought to be sufficiently liberal to secure the best qualifications for the business. and I do not know a man better qualified than Mr. Shearer, if he can be employed.

You are also to employ a suitable collector; and as Mr. Shearer obtained a considerable part of the subscriptions, it is very desirable to get him to perform this service.

It was likewise ordered that the agent to solicit new subscriptions, obtain the right of way, and report specially the cases in which the right may be withheld. This had better be done at once, and let the agent take a second witness along with himself—and obtain all the signatures to one deed, which will save the company a considerable expense for recording. As soon as the signatures are obtained, have the deed recorded in your office.

Where the right of way is refused, let the local directory compromise by offering a certain sum to be paid in stock. It is best not to bring such questions before Juries; and I think it highly probable that you can procure the right of way in every case where refused, by offering a small amount of stock. Tell such persons that we have no money to pay, and that we will not go forward until the relinquishments are obtained. Read to such also that clause of the charter which requires the Jury to take into view the advantages as well as the disadvantages created by the road.

Remember also, that the Charter empowers guardians to sign a relinquishment of the right of way through the estates of minors.

It is very important that all these local matters may be closed up by the 29th of March.

I am Very Truly
Yr. Ob. St.
L. C. Garland
Pres. N.E. & S.W. R.

Office of the N.E. & S.W. R.R. Co.
Tuskaloosa Jan'y 13. 1855

To
The local Directory of Greene Co.

Gent.

By an order of the Directors of the N.E. & S.W. R. Road Co. made at their late meeting in Eutaw, you are to appoint an agent to obtain the relinquishments of the right of way and to canvass your county for its portion (say \$25 000) of the fund designed to defray all the expenses of the company for the next three years. Nothing was said about compensation, that being left to your judgment and the circumstances of the case. Be liberal enough to procure the best qualifications; and perhaps since it is a temporary office of only a few weeks duration, the employee may prefer to receive a stipulated per. cent. upon the stock he raises, as this mode of compensation will allow him to attend to the business at such times only as he may abstract from his own private business.

In procuring the relinquishments of the right of way, let all the signatures be attached to the same deed. This will save the expense of recording many deeds. It will be necessary for the agent to take a witness along with him. Let him also report, after his work is finished, such persons as refuse the right of way, that measures may be taken to compromise with them and to purchase the right by a certificate of stock.

According to the Charter, guardians may relinquish for their wards.

It has also been made your duty to appoint a judicious and active collector for your county, whom you will compensate properly, though with as little expense as possible, and from whom you will take a bond for as large an amount as is likely to fall into his hands at any one time. It is important that all these local matters be closed by the 29th of March.

Yrs. truly
L. C. Garland
Pres. N.E. & S.W. Co.

Office of the N.E. & S.W. Ala. R.R. Co.
Tuskaloosa Jan'y 15. 55

To
Wm.O. Winston Esq.

Dear Sir.

I had the pleasure of meeting Col. Whiteside [*sic*] at Eutaw. He told me that you & he had written to me immediately after the stockholders meeting at Valley Head. That letter was never received and I knew nothing whatsoever of your proceedings, until I met with the Colonel. This fact will explain my silence, of which you had some right to complain. I am glad that you have settled up most of your old accounts, in a manner satisfactory to all parties concerned. I regret that you did not close Judge Porter's account. It will be proper to do so, at the earliest convenient period. He writes me that he is held responsible for *two* sets of instruments, sold to the N.E. & S.W. Co. He is mistaken as to the fact of the purchase of two sets by our company. Our engineer sent for *one* set: but Judge Porter sent two. Of these our Engineer selected one and left the other in the care of Mr. Vance of St. Clair; of which fact Judge Porter was apprised, or ought to have been apprised. Doubtless the second set is now at Vance's: and although materially damaged, I have directed the corps of the N.E. & S.W. Road, to take

possession of it when they reach that part of their line, which they will do in a few weeks. For this second set, if we get them into possession, we will account to the Will's Valley Co. and not to Judge Porter; so that you will release him from all obligation on that account. If however he has gotten them into his possession, we will have nothing to do with them. If I knew how to get a letter to Vance, I would write him to deliver the instruments only to Mr. Sanford's order: and perhaps it may be well for you to do so, or even to send a messenger with a note to that effect. Be this however as you please: but the responsibility of the N.E. & S.W. Co. can begin only with the possession of the instruments.

You have learned through the papers the encouraging condition of our affairs. You will receive shortly a copy of the annual report, which will inform you of our past transactions and of our future plans. With a view to bind our subscriptions on the entire line, I was compelled to subscribe \$34,000 as the Pres. of the Will's Valley Co. to the grading below Wills Creek. The report shows that surplus over and above the estimate for grading, culverts and bridges along your line. The subscription is subject to the ratifications of the Will's Valley Co., and is payable only after your grading is performed, that there may be no abstraction from the funds necessary to prepare the bed of the road for the iron along your line. You will perceive when you read the report, that it was done to save the charter. I only had an opportunity of consulting Colo. J.A. Whitesides, who approved of & recommended the course I pursued. In due time and form I will lay the whole matter before your board.

Mr. Sanford is organizing a corps to receive the hands and camp equipage from his present corps when they arrive at Wills's Creek, at the head of which will be Mr. Corry as his principal assistant. The business of that corps will be to prepare the Will's Valley line for letting as speedily as possible.

I leave in a few days for all the important iron works in the United States with the view of trying to turn to account the facilities we possess for the home manufacture of our rails. I have gotten the consent of Colo Whiteside [*sic*] to accompany me, whose association in the business will add very much to the

public confidence in any report I may draw up, after my return home.

If a formal acceptance of the presidency of your company¹⁵ be deemed necessary after the compact between the two companies provides for an identity of officers, you will consider this communication is such—

In haste
I am truly
Yr. frd. & svt.
L. C. Garland

N.B. Mrs. Winston wanted to be sent by mail some rare rose slips that can be gotten in the gardens here—If she will address me a line informing me of what she wants I will send them in any manner she may direct.

Office of the N.E. & S.W. Ala. R.R. Co.
Tuskaloosa Jan'y 15. 1855

To

B. F. Porter Esq.

My Dear Sir —

Your favor reached this office during my visit to Greene, from which I did not return until three days ago. Supposing that you were mistaken in regard to the purchase of two sets of instruments by Mr. Sanford, I addressed him a note, to which the following is a reply —

¹⁵L. C. Garland had been offered the presidency after the union of The Wills Valley Railroad with the N. E. & S. W. Ala. R. R. Co., Col. Wm. O. Winston was then president of the Wills Valley Railroad.

To L. C. Garland Pres. &c.

Dear Sir. Learning through Mr. Oliver that we could obtain instruments from the Wills Valley Co., I dispatched a messenger (Mr. Mann) with a note requesting that one set, namely a transit and level should be sent while we were upon the upper end of the line and upon the first survey.

Judge Porter instead of sending *one set*, sent out *two sets* and I was obliged to leave one (as we had no use for them) at Mr. Vance's, from which place I addressed a letter to Judge Porter advising him as to where we had left the instruments, and including therein an account for the single set which we retained — This letter I left in your possession at the time, as the settlement for the instruments would naturally devolve upon yourself. Very Resply. Yr. obt. Svt. (Signed) E. D. Sanford.

Tuskaloosa Jan'y 15 1855.

The letter referred to, I must have mailed to you; but I have no positive recollection in regard thereto.

The other set is still at Vance's: and as we have now in going forward with the construction of our work, to purchase three or four new sets. I will direct our Engineer to re-examine them and to take them at cost, minus the necessary repairs, provided they are at Vance's when he reaches that point again. In case he takes them, this Co. will assume to settle with the Will's Valley Co. for the same, in which case you will be released from all responsibility on their account.

I saw Colo. Whiteside [*sic*] at Eutaw. I am sorry your accounts were not settled. It is important to you & the company that this be done as speedily as possible. I am surprised, however, to hear you speak of instituting a suit to force settlement; for if I did not misunderstand Colo. Whiteside [*sic*] the company was anxious to close your account, but you were not ready. I see no necessity to urge matters to an extremity which would beget ill-will between yourself [&] the company. I am sure that a settlement may be speedily had without such a resort, and

I hope, when had, that it will prove altogether satisfactory to the parties concerned. I do not suppose that I can attend any meeting of the Board myself earlier than July—but your settlement need not be deferred upon that account—Whenever you are ready for me, I will order a meeting to attend specially to the business.

Though our Board regret very much the cessation of the Post, still they are disinclined to vest any funds in the purchase of the press and type, or to provide for the regular publication of the paper. True, the paper is very much wanted, but they hope that it may be revived by private enterprise.

I am Very Resply
Yr. mo. obt. Svt.
L. C. Garland

Office of the N.E. & S.W. Ala. R.R. Co.
at Tuskaloosa Jan'y 15. 1855

R. H. Tatum Esq.¹⁶

My Dear Sir.

Your favor of Dec. 19th reached this office, during my absence from home—and hence the delay in transmitting a reply.

Our Engineer in Chief, E. D. Sanford Esq. is organizing a corps, with Mr. Corry at its head as his principal assistant, to run out the line and locate the road along the Will's and Lookout Valleys, as speedily as possible. Our affairs are in a prosperous condition, and we hope soon to have the road under contract the whole distance of 300 miles.

We are obliged to put on the whole line \$150 000 more, to

¹⁶R. H. Tatum of Dade Co., Ala.

render the completion of the road in 3½ years certain. Some \$10 or \$15 000 will fall on Dade [County, Ga.], and I hope in the certain prospect of a speedy completion, your people will cheerfully respond to the call. I will send you a copy of our Report as soon as it is printed.

Yrs. truly
L. C. Garland

Office of the N.E. & S.W. Ala. R.R. Co.
Tuskaloosa Jan'y 15. 1855

To

Jno. M. Moore Esq¹⁷
Talladega.

Dear Sir.

Your favor of the 25th arrived at this office during my absence, and hence the delay in transmitting an answer.

I am about to visit all the principal iron works in the U.S. to ascertain what we can do towards manufacturing or procuring the manufacture of our rails in Roup Vally [*sic*]. We prefer to procure their manufacture: and are not disposed to advance money to erect the works. Because no company can have the ability to carry on the works after their erection by us, if they are not able to erect them. For instance, suppose the grounds, works buildings, &c. cost \$300 000. Now the works, according to Anderson's¹⁸ estimate will employ 500 hands. How can a company feed, clothe, and hire this force, and incur

¹⁷John M. Moore, of Talladega, was an incorporator in the Benton Co. Iron Works, February 10, 1852; Ala. Roofing Slate Co., January 24, 1856; Ala. Manufacturing Co. at Selma, February 8, 1856; and the John M. Moore Copper Mining Co., January 26, 1858.

¹⁸J. N. Anderson, Esq., Richmond, Virginia. See letter dated June 7, 1854.

all the expenses of the manufacture if they cannot raise \$300 000?

Let the company put up the works at their cost. Then they may expect aid from the Railroad Co. They will have laid a basis of credit, and have given an earnest of their intention to carry their business forward.

What we wish to accomplish is this, to give a *bonus* in cash, for the privilege of buying the iron with our stock at the market price, made either on or off the road. Thus: suppose we can make a bargain of this sort with a company—Deliver to us 8 miles of road pr. month, for which we will pay you *cash* at the rate iron may be selling for at the North, until we have paid the sum of dollars, the bonus agreed on, whether 3, or 4, or \$500 000. After that we will pay you with certificates of stock until the whole iron is delivered. At which time we will issue to you an additional certificate of stock to the amount of the *bonus*. Or to be more explicit. Suppose iron is to be \$70 pr. ton. We would want 105 tons pr. mile, which will cost \$7350 pr. mile. Let the bonus be supposed \$300 000. The first month we received 840 tons, and pay \$58,800 for them. The second month the same, and so on, until we have paid the bonus of \$300 000. After that we pay a certificate of stock to the a'mt of \$58,800 for every 840 tons received, provided the market price continues unchanged, until we have received 36,500 tons. For which we shall have paid \$300 000 in cash and \$905,000 in stock. Then we issue as a bonus an additional certificate of stock to the am't of \$300000—making a total amount paid for iron in cash and stock \$2,506,000. As to the value of the stock, the iron company must form its estimate—taking into consideration the fact, that the whole road will be finished and equipt in three years, and that the business of the road is likely to be a very large one especially in travel, since it is the shortest possible line between New York and New Orleans. But you may say the *bonus* is too small. Then what bonus will you require to enter into the contract?

I hope I have succeeded in making intelligible to you the plan which we prefer for the accomplishment of our object.

If you have any suggestion to make I shall be glad to hear from you. Very Resply Yrs.

L. C Garland

Office of the N.E. & S.W. Ala. R.R. Co.
Tuskaloosa Jan'y 15. 1855

U. Stroup Esq.¹⁹
Blue Pond

Dear Sir.

Your favor of the 4th of Der last came to this office after my departure for the County of Greene, and from which I did not return for several weeks.

It is the desire of the company to procure the manufacture of the iron rails upon the line of the road. As yet we have matured no plan. I am to set out for all the Rolling Mills in the U.S. in a few days, with a view of ascertaining what can be done towards the accomplishment of our object.

In the mean time, if you have any suggestions to make or any terms to propose, I shall be glad to hear from you in detail. We want 31 500 tons of iron rails turned out in three years from next July.

I shall return from my tour about the 1st of April.

Very Resply Yr. obt. Svt.
L. C. Garland
Pres.

¹⁹Probably Moses Stroup of Blue Pond, Alabama, was an incorporator of the Alabama Mining and Manufacturing Co., February 11, 1850.

Tuskaloosa

Jan'y 16. 1855

To

Wm. Foster Esq.²⁰

Secy of N.E. & S.W. R.

Dear Sir.—One thousand copies of the First An. Rep. of the Pres. & Directors of the N.E. & S.W. R. will be delivered to you early next week by Mr. Warren. Send 5 to each Director of the Company, making 60—

Send to W. W. Shearer of Livingston	150
To S. M. Gowdy of Greene	150
Retain yourself for Tusk	150
Send to Alfred Walker of Jefferson, Elyton	100
„ to Peyton Rowan Esq. of Ashville, St. Claire	100
„ to W ^m O. Winston, Valley Head, DeKalb	100
„ to J. G. Jackaway, Trenton, Dade Co.	50
„ to Colo. J. A. Whiteside [<i>sic</i>], Chattanooga	50

If no other means of sending offers itself, send by mail, and charge the contingent fund, which will be settled quarterly—Perhaps by referring to the subscription books, you may send them in part individually to the subscribers, informing the persons above of those to whom sent—Retain the rest subject to my order.

Yrs. &c.

L. C. Garland—Pres. &c.

²⁰William Foster was an incorporator in the Macon Co. R. R. Co., February 15, 1856; Tuskegee R. R. Co., February 20, 1860.

Office of the N.E. & S.W. Road
Tuskaloosa Jan'y 16. 55

To

W. O. Winston Esq.

Dear Sir—I have just this moment recieved [sic] your letter and Colo. Whiteside [sic], mailed Nov. 29th. The delay is unaccountable. Having however addressed to you a letter yesterday, there is no occasion that I should do more than barely acknowledge the reciept [sic] of your communication.

You will recieve [sic] 100 copies of the First Annual Report of our Board, which you will please distribute among the stockholders of the Wills Valley Co. in DeKalb—I will send others to Dade.

Yrs. truly: in haste
L. C. Garland

N.B. Send a strong delegation to this Legislature—

Tuskaloosa
Jan'y 16. 1855

Jos: W. Taylor Esq.

My Dear Sir.

The letter which you addressed to me in Washington last March, and which you requested me to exhibit to our delegation and to Maj. Whitsitt, did not reach me in time for that purpose. I had supposed the occasion passed for using it. But in a recent communication from me to the Gainesville Independent, I had occasion to refer to incidents as detailed by you in that letter. In the last Independent Maj. Whitsitt replies in terms, that

absolutely require the publication of such parts of the letter as exhibit the facts in the case—accordingly I have done so, which I hope meets your approbation. You distinctly disclaimed writing a private letter; and had it been such I should never have made any statement based on its contents. But knowing that you had deliberated on the propriety of publishing the transactions yourself. I supposed that the present correspondence between Whitsitt and myself would afford an opportunity for so doing under circumstances that would remove from you, all suspicion of aggressiveness. I do not see, however, how Whitsitt is to answer your letter, which is so clear and pointed in respect to the matters in debate.

I expect to leave for the North in a day or two—

In haste,
I am truly yr. frd. & Svt.
L. C. Garland

Tuskaloosa
Jan'y 17. 1855

To
The local Directory of
Tuskaloosa Co.

Gent.

At the earliest possible period hold a meeting and

1st Elect a suitable agent to canvass the county for \$25,000, and to obtain the relinquishments of the right of way.

2nd Elect an efficient collector and take his bond to an

amount that will cover all amounts likely to fall at once into his hands.

3rd Appoint a Treasurer and take also his bond.

Let the person obtaining the relinquishments, take another witness along—and obtain all the signatures to *one* deed, which will save a great deal of expense for recording the same in the Clerk's Office.

I think the agent to obtain subscriptions (collect money) may be allowed 3 pr. cent upon all amounts subscribed to the new fund and unless you give an adequate compensation you cannot procure the services of a suitable man. The witness he takes along may be with him for only a few days and may be obtained for a trifle. The relinquishments had better be procured first, which may be done in a week or ten days. Then let the agent give himself to the business of procuring new stock. The per cent, named as a compensation may seem large, as it would, if it had been allowed me, paid \$30 000 [*sic*] as my salary. But I had in the upper counties an ungleaned field; and the fund of \$150 000 now to be raised, will be gotten with great difficulty. Suppose your agent between this and the first of April obtains the whole \$25 000 in this county—his compensation will be only \$750: and I am sure you are willing to pay for the service. You know better than I what ought to be paid to a collector. A man already engaged in that business ought to do it cheaply. There will be great need of promptness upon the part of this officer—and it is important that he be of the right stamp.

You were also directed to settle the entrance of the road into the corporate limits of Tuskaloosa, and to select a depot site. You ought to look to the final establishment of the machine shop at this city, and provide on certain conditions for as much ground as may be necessary.

Please Gent. give your earliest attention to these matters—that our business may all be brought squarely up on the 1st of Apl.

Yr. Very Resply
L. C. Garland
Pres.

Office of the N.E. & S.W. Ala. R.R. Co.
Tuskaloosa Jan'y 17. 1855

To Col. Wm. S. Mudd²¹

Dear Sir.

By order of the Board of Directors you, as the local Director of Jefferson County, are to appoint,

1st A suitable collector to collect the 2 pr. cent. fund unpaid as soon as possible.

2nd. A suitable agent to raise your proportion of the new fund of \$150 000, which cannot be less than \$20,000: and also to obtain the relinquishment of the right of way. I gave you, and Trass, deeds for that purpose:—but it is best to obtain all the signatures to *one* deed, in order to save the expense of recording. The agent had better make a business alone of obtaining relinquishments, taking a second witness with him—And as soon as this is done, let him press the canvass for the \$20,000, so that he may close it by the 1st of Apl.

Secure the best abilities in your county, and for that purpose, you must reward liberally for the services rendered. It has appeared to me that an offer of 3 pr. cent. on all the subscriptions obtained ought to draw out your best talent. For six weeks are enough for a thorough canvass of your County; and if the whole fund is obtained the reward will be \$600, or

²¹William S. Mudd, of Jefferson Co., Alabama, was an incorporator in the Beard's Bluff and Elyton R. R. Co., February 8, 1854; Tuscaloosa Plank Road Co., December 14, 1859; N. E. & S. W. Ala. R. R. Co., December 12, 1853. He entered the House as a member of the session of 1843; was re-elected in 1844 and again in 1845. He was Judge of the Third Circuit in 1855 and was on the bench through 1871 and possibly longer.

\$100 pr. week. Perhaps you may obtain a suitable person for less. I leave this with you—Only have the matter immediately attended to—and urge the collection of the 2 pr. cent. fund—

I will send to Mr. Walker a package of my report, to be distributed among the subscribers—These may not be enough for all—Get your paper to publish it in its columns—Thus you will have enough.

Yrs. Truly,
L. C. Garland

Office of the N.E. & S.W. R.
Tuskaloosa Jan'y 17. '55

To
W. O. Winston Esq.

Dear Sir.

You will see from our Report when published—that it is our policy to levy upon the whole line of our road from Chattanooga to the Miss. line the sum of \$150,000, in order to meet all the expenses of the company for the next $3\frac{1}{2}$ years, within which time we hope to finish the road; and this to preserve the integrity of our iron fund of \$600,000—The portion falling to DeKalb is \$10,000, to Dade \$5,000, to Chattanooga \$20,000, making for the whole Will's Vally [*sic*] line \$35,000. If the apportionment does not meet your approbation, you can lay it otherwise on those three counties. This fund is to be raised by the 1st of Apl.—and is to be paid in 1, 2, and 3 years.

You are hereby appointed our agent to raise this fund along the Will's Valley line, and you will be allowed 2 pr. cent upon all sums obtained as subscriptions. Seven weeks will be ample for a thorough canvass of the line, and if you raise the \$35,000, your remuneration will be \$700, or \$100 pr. week, which I hope

is sufficiently liberal to induce you to put your hands to the plough—We wish the canvass closed by the 1st of Apl (indeed by the 29th of March) and the result reported to our Board which meets at that time.

Get all the right of way, and see them recorded in the respective offices along the line.

[The above letter was not concluded.]

Office of the N.E. & S.W. Co.
Tuskaloosa Jan'y 17. '55

To

Peyton Rowan Esq.²²

Dear Sir.

With a view to preserve the integrity of our fund of \$600,000 and to provide for all the expenses of the company through 3½ years, within which time we hope to finish our work, it was ordered by the Directory at its last meeting, that the sum of \$150,000 be levied upon the whole line from Chattanooga to Marion, Miss., which is the only additional call we expect to make upon the people. You are hereby appointed an agent to obtain the portion levied upon St. Clair viz: \$15,000, and you are offered for your services 3 pr. cent. upon all subscriptions obtained. I suppose that you can give the county a thorough canvass in 5 weeks: and if you should raise the \$15000, your compensation will be \$450, nearly \$100 pr. week, which I hope is sufficiently liberal to induce you to put your hand to the work. If you decline I do hereby empower you to procure the services of a suitable person—

The canvass we desire closed, and the result reported to

²²One Peyton Rowan was an incorporator of the Jacksonville, Williamsport and Anniston Railway Co., February 26, 1889.

this office by the 29th of March. The subscriptions are to be paid in 1, 2, and 3 years.

It is also made the duty of the agent to obtain the relinquishments of the right of way from all residents along the line. A single deed will answer best—as it will save the recording of a great many separate ones. The agent ought to have a second witness along—and perhaps it will be better to spend a week in that part of his business, which will allow time for circulating the notices of his meetings to procure stock.

You will receive soon 100 copies of the 1st An. Rep. of the Co. Please distribute to subscribers: Press with all possible expedition the collection of the 2 pr. cent. fund on former subscriptions.

Yrs. truly
L. C. Garland
Pres.

Tuskaloosa
Jan'y 22. 1855

To T. A. Marshall Esq.
Pres. of So. R.R.

Dear Sir.

I have written to you two communications during the last 6 months and having received a reply to neither, I have concluded you were absent from Vicksburg, and they were never received.

I will esteem it a special favor if you will apprise [*sic*] me at your earliest convenience of your prospect to build from the Mobile and Ohio Road to the State line within three years at most. If you will certainly build within that time we will not now provide for that part of our line. But if there is a *doubt*

upon this point, we must make provision for building ourselves and have already proposals to grade that portion of our line, one half for stock and the other half for money.

But can we not unite our resources and grade a double track, much cheaper than either of us can a single track?

You cannot well concieve [*sic*] of the efforts that have been made in Alabama, to break up our purpose to run to the crossing of the Southern and Mobile roads. On the other hand we have redoubled ours to secure your connection. The news, that your loan and contract with a Pennsylvania Co. have failed, and that you have no prospect of prosecuting your work has thrown a damper upon our enterprize.

But is such the fact? Do let me know; *confidentially* if you desire, the true state of your affairs. If you have to make a new contract think of the proposition above. We can get 17 miles graded for either a single or double track, one half in our stock and the other half in money. Probably your stock may be taken as readily as ours, and we may thus accomplish our object with a saving to each of at least $\frac{1}{3}$ of the grading for a single track. But if you will certainly build to the State line in 2 or 3 years, we shall for the present, as stated above, be content with the terms upon which you have proffered to transport to the junction our freight and passengers. And it may be years before we will construct a line of our own down to that point. But, with a view, to extension in a direct line to N. Orleans, such ultimately will be our policy.

Please let me hear from you at once.

I am Very Resply
Yr. obt. Svt
L. C. Garland

Tuskaloosa

Apl 2. 1855²³

Colo. W. O. Winston:

Dear Sir.

I have just recieved [*sic*] a letter from Mrs. Oliver announcing the death of her husband, and representing the urgent necessity of realizing at once the amount of her husband's claim against the Will's Valley Co. The claim is not only that of a just creditor long kept out of his dues, but it is that of the widow and the orphans who are likely to suffer without its immediate reception. Do use every effort to pay it and if the whole cannot be collected at once, do collect what you can and pay it to her. Perhaps you may borrow the money, for I suppose no one can doubt the ability or willingness of the company to pay at an early period.

She writes to me from Stevenson, Jackson Co. Ala, where I presume a letter to the care of J. F. Martin will find her.

But now for another topic. The friends of our road are very solicitous and you should represent DeKalb Co.—and will you not yield to this general desire and announce yourself a candidate? It is not a time for our strong and practical men to be kept in retiracy—and I do hope you will get your own consent to run. We cannot doubt the result.

We have shipped by 107 bales of cotton from this county. The same of Greene & Sumter may be said. There is no money in the county, consequently we are making no collections for our road—although the necessity of building it is enforced upon every man's understanding. I may be in y'r valley the last of the month on my way to the North.

I am truly

Yr. frd & Svt.

L. C. Garland

²³Garland visited all the Rolling Mills in the United States between January 15, 1855 and April 1, 1855.

Tuskaloosa Apl 2. 1855

Colo. J.A. Whitesides

Dear Sir.

The 2nd regular meeting of the Directory of the N.E. & S.W. Rd for the present year closed a day or two ago. It was a gloomy season as far as money prospects were concerned. The delegates of Greene Co. borrowed money to pay their traveling expenses to the meeting. This may give you an idea of the state of things in this portion of Alabama. We have shipped but 207 bales from this county—not more from Sumter and Greene. There is no money among us. Our merchants have sent out of the county what little there was in it. In this condition of affairs the Directory give their personal notes to borrow as much money as would serve to sustain our operations at this end of the line, and passed a resolution requesting the City of Chattanooga to sustain *for the present* the corps above Wills Creek. We will refund what the City may advance when we are able to make collections—Just think: with a call of 5 per cent on \$600,000 we have collected, with active agents in the field, only about \$400!! What is worse, we cannot borrow money on the best paper. Under these circumstances, being interested in the same common cause, and not having had its resources dried up like ours, will not the City of Chattanooga advance a small portion of its subscription to save us from an actual suspension of our work? A suspension now would be ruinous whereas if we can survive this crisis, we shall arise with renewed vigor like a Phoenix from its ashes. Never was our enterprise in better favor. The people have been made to *feel* the want of the road to an extent which will render them liberal supporters of it when plenty and prosperity revisit our country again.

Do undertake to negotiate the advance upon the part of your city to an extent to meet the orders of Mr. Sanford in behalf of the corps now engaged in Will's Valley, and inform Mr. Sanford at the earliest possible period of your success.

If money can be raised I expect to go north in about three weeks. I hope to have the pleasure of your company on the

terms agreed upon between us, and I shall advise you promptly of my movements as soon as they can be certainly ascertained.

Enclosed I send you a paper for the Directory of the N. & C. Road. Please take charge of it and procure for us if possible the privilege desired.

Mr. Sanford thinks it out of the question to join the N. & C. road in the limits of Georgia, on topographical account. The Dade Co. people must effect a change in their charter to give discretion in this matter. Will you communicate with the leading men of the county on the subject.

Mrs. Oliver writes me from Stevenson that her husband is dead, and that she is in great want of the money due his estate by the Wills Valley Co. I have written to Winston urging the prompt payment of this claim not of *justice* only but of *mercy*. I suggested a loan if it could not be paid otherwise. Any assistance you can render in the matter will no doubt be duly appreciated by the parties interested.

I am, Dear sir. your
Friend & Servant
L. C. Garland

Offices of the N.E. & S.W. Ala. Co.
Tuskaloosa Apl 2. 1855

To The President & Directors)
of the Nash. & Chat. R.R. Co.)

Gent.

Since the Engineer in Chief of this company has made a personal reconnaissance of the track of the Nash. & Chat. Road around the point of Lookout Mountain he has strongly urged a modification of the Articles of Agreement ratified between the

two companies relative to the building of a second track around said point by the Ala. company. The terms as agreed upon restrict the Alabama company to the *South or Bluff side* of ye [*sic*] track of the Tenn. company, and the modification proposed is, the conveyance of a right to the Alabama company to build on the *river side* of said track, and for that purpose to use the materials on both sides, with an explicit engagement *not* to interrupt, or obstruct or injure in any manner whatsoever the Tenn. track.

And in order to obviate the inconvenience of the crossing of two tracks, it is further proposed to exchange tracks after the second one is completed, the Alabama company giving a guarantee that it shall be in every respect as good as the one now belonging to the Tenn. company.

Esteeming these modifications reasonable, and in no manner injurious to your own interests, we hope, Gentlemen, that you may regard them with favor: and that you will act upon them at your earliest convenience.

I am with sentiments of high consideration

Yr. Mo. obt. Svt.
L. C. Garland
Pres. N.E. & S.W. Rd.

Tuskaloosa Ala. Aug. 20. 1855²⁵

E. W. Stephens Esq.²⁵

My Dear Sir.

On my return yesterday from a visit made to the southern counties on the line of the N.E. & S.W. Road, I found three communications from you, to which I now proceed to reply.

²⁴There is no explanation for the absence of letters between April 1 and August 20.

²⁵S. W. Stephens of Rome Georgia.

Just at this period, and from a cause unanticipated, our operations are suspended. Our policy has been, as you learned from our published reports, not to begin our work until all the requisite provisions are made to push it to a successful and speedy conclusion. Our deficiency, arising from a change of location, consists of 20 miles of grading in the county of Greene and 10 miles in the county of Sumter. We had always hoped that the people of those counties would make up their respective deficiencies by the time we were ready to put the road under contract. In this expectation we have been disappointed. They have not done so. Our subscriptions along the whole line of near 300 miles cannot be collected until the deficiency is supplied. We have notified those counties that we will disband our corps and suspend all operations *instantly* unless as the other counties have done they come up fully to the support of the work. And if they do not do this, and if we cannot make some provision for the hiatus, we have legally a claim upon a single subscriber. Look over our reports again and you will see the nature of the necessity under which we are laid to adopt this course.

Now I have no idea that the project will fail. Indeed there is another outlet to the Mobile & Ohio Road tendered to us through Gainsville; and if the people on our preferred line do not give us an outlet through Livingston we will take that through Gainsville. The latter route is said to be in a condition to comply with our demand of furnishing the grading & their part of the cash fund.

We must therefore be still for the present, until all the conditions upon which our subscriptions are obtained are complied with. I hope this will not drag; and when we do really begin the work, it will be pushed to a speedy termination, and in the mean while, we shall urge our application upon the Legislature of Alabama, to aid us in the institution of our policy to manufacture the rails on the line of road. We propose to borrow \$500 000 for that purpose—Can we borrow of capitalists as much more after the erection of the works, by making our bonds mortgages upon the works themselves? In other words, if we put up the works, can we get the means for operating them? Something may be done in buying corn and pork for stock, at least in part. I could now contract for thousands of bushels of corn at 50 cts a bush. half stock & half cash.

It will be as much as we can do to grade, bridge, culvert & crosstie the road, and pay the expense of engineering—and borrow \$500 000 from the State—This is our utmost hope.

Now how can you work out the completion of the problem? Do let me have your views at large. Also, furnish me with all the statistics you can obtain relative to the wealth created by iron & coal—and the advantages State from the development of her resources in these two minerals of prime necessity.

Of one thing you may feel assured,—that it will be the pleasure of our company to place you at the head of the iron department, if they adopt the policy of manufacturing on their own account, and this plan is rather growing in favor. They think your demand very high, but they will not stumble at that. Until, however, our policy is defined—and until we are prepared to bid you go forward, you had better not affect your arrangements at Rome. All our plans will be matured during the fall and early winter, or the whole project will be given up.

Of another thing you may be satisfied—That we shall never put you at the work until we know that we can sustain you—by making promptly all the payments we assume.

I have accepted the Presidency of our State University located in Tuscaloosa, which will sever my official connection with the Road, unless I yield to the request of the Board to act as Commissioner for providing the manufacture of iron. If you can place full confidence in the Report of the gentleman, whom you have purposed [*sic*] to send to explore our iron & coal, we will pay his expenses and \$100 pr. month. We would prefer yourself, but if you would be placing yourself out of employment by coming on, we could not expect you to do so.

I am Very Truly
Yrs,
L. C. Garland

BOOK REVIEWS

To Enquiring Friends If Any: Autobiography of John McDuffie Farmer, Lawyer, Legislator, Judge. Edited by Mary Margaret Flock. (Mobile: Azalea City Printers. (n.d.) pp ii, 300. \$5.75).

John McDuffie (1883-1950) of Monroe County was among the more important men of his age in Alabama. A farmer, lawyer, legislator, and federal judge he served his state and nation with leadership and ability. These privately published memoirs were told to and edited by his secretary, Mary Margaret Flock. A graduate of Auburn and later the law school of the University of Alabama, he served five years in the state legislature, nine years as Solicitor of the First Judicial Circuit, sixteen years as a member of the United States House of Representatives, and fifteen years as Judge of the United States District Court, Southern District of Alabama.

These interesting reminiscences cover his early childhood up to his appointment to the federal bench in 1935. They will be of interest to those who would like a glimpse into the past—of life on an Alabama farm before the turn of the century—of college days at Auburn with the beloved “Miss Allie” Glenn and Miss Lottie Lane—of his years as solicitor and finally the Congress where he rose to the position of Majority Whip. His observations upon the difficulty of passing effective state legislation for the control of railroads, the needs of education, and the prohibition fight during the Comer Administration will be of interest to historians. He was not an ardent New Dealer but did support some of the New Deal legislation. He had the honor of nominating John Nance Garner for Vice-President at the Democratic convention in 1932. The volume is attractively bound and the printing excellent. John McDuffie deserves a biography.

Hugh D. Reagan
Auburn University

The Texas Land and Development Company. By B. R. Brunson. (Austin: University of Texas Press, 1970. Pp. xi, 248. Bibliography, appendices, index. \$7.50.)

In recent years monographic studies of local history have resulted in a better understanding of individual states and our national heritage. The M. K. Brown Range Life Series, of the University of Texas Press, has produced a number of such fine in-depth studies. B. R. Brunson's *The Texas Land and Development Company: A Panhandle Promotion, 1912-1956* is part of that series, and continues the high level of scholarship found in the earlier volumes.

Many people remark, if you have read about one land promotion scheme, you have read about all of them. Most land companies, at least during the promotional period, took more out of the area than they put in. *The Texas Land and Development Company* was one of the few exceptions to the rule. From its formation by F. S. Pearson in 1912, the company decided to buy unimproved land, in the Plainview, Texas region, improve it, and then sell it as a producing farm ready for occupancy. Eventually the company purchased 61,360 acres in and about Plainview. Also, it is rather amazing that the organization pumped more than two million dollars into the area making the desired improvements in the way of houses, barns, and fences. It maintained several experimental farms, which the author questioned I believe unfairly, and pioneered the way for extensive irrigation in the Panhandle of Texas.

That the company survived the death of Pearson on the *Lusitania* in 1915, a shortage of capital during World War I, and several agricultural depressions, to finally dissolve in 1956, paying most of its investors a reasonable profit, exhibits good management. The organization and its personnel, local and "carpetbag" was highly regarded in the Panhandle Region. The managers, most notably Winfield Holbrook, with great reluctance foreclosed on land, and then only when they were convinced the farmer was bankrupt.

The first few chapters are topical, e. g., the first deals with the area before 1912, and others with organization of the companies involved, sale promotion, farming, etc. The last chapters

are largely chronological, and follow a step-by-step move toward solvency (resulting from the boom created by World War II), and finally liquidation. In several places the rather detailed discussion of the formation of the holding companies between 1912, and complete re-organization in 1919, makes rather tedious reading.

The genealogist will find the work useful, and it contains several appendices devoted to biographical sketches of such leading figures as F. S. Pearson, an internationally known engineer and financier, and M. C. Keith, organizer of United Fruit Company, as well as simple farm owners. The author closes with the statement that the enterprise "can be considered a good example of the American system of free enterprise capitalism at work."

Victor H. Treat
Texas A&M University

The Franco-Texan Land Company, by Virginia H. Taylor (Austin: University of Texas Press, 1969, Pp. xiv, 331 Illustration, map, bibliography, index, \$7.50.)

The History of the United States has been aptly described by Thomas P. Abernethy and others as one great land speculation. Such a statement certainly applies to Texas, and probably to most other states. The University of Texas Press has a series dealing with land manipulation and land companies in Texas entitled the M. K. Brown Range Life Series, and *The Franco-Texan Land Company* by Virginia H. Taylor is one of the volumes in the series.

Texas alone suffered or produced innumerable land operations and schemes, but most were not as complicated as the Franco-Texan. The operation began as a rather nefarious railroad promotion, which was expanded to include such national figures as John C. Fremont and P. G. Beauregard on this side of the Atlantic, and equally prestigious individuals in France. Since many of the records are now lost or destroyed, it is difficult to evaluate the various roles played by Fremont and others. One of the greatest sources used by the author was the Con-

gressional records of the time, and they are unfortunately lacking in information about the private lives of the individuals involved. The performance of the railroads involved, the land company, etc., all were argued in the Congress of the United States. Some of the basic arguments in relation to all American railroads of the late nineteenth century appear in the debates over the Memphis, El Paso and Pacific Railroad Company, later the Texas and Pacific Railroad, and other related lines. Such great railroad names as Huntingdon, Scott, and Gould crisscross the Franco-Texan story.

The Memphis, El Paso and Pacific had graded 65 miles of roadway prior to 1861, but seizures of railroad property by the Confederate Government halted all construction. When attempts were made to resurrect the line after 1865 (John C. Fremont was given the role to smooth the way through Congress for a Federal grant; however, the enemies of Fremont conspired to block all such attempts. From the beginning, every Texas statute and sound business practice was violated by the Fremont group. Outright lies were utilized when Fremont went to France to sell railroad bonds. The American Minister, Elihu B. Washburne, considered the bonds fraudulent, and tried to halt the sale, but Fremont's powerful French confederates outmaneuvered him. The role played by Fremont is still debated; however, it seems clear that several million dollars raised by him and his associates were never accounted for.

The Memphis, El Paso and Pacific failed to meet its obligations and a reorganization resulted in the formation of the Texas and Pacific. By 1876, the situation was so confused that finally the French bond holders, in an attempt to recoup their losses, took control of the remaining assets and formed the Franco-Texan Land Company, with the intent of selling land held by the company.

The American headquarters for the company was Weatherford, Texas, but again corruption and fraud siphoned off most of the profits. Unfortunately, the honest investor gained very little, while the manipulator claimed most of the proceeds.

The prose was reasonably readable, considering the rather complex nature of the subject, and there were few mistakes in

proofing. The footnotes appear to be adequate and the index was well done. Anyone interested in land speculation and railroad building will find the work of interest.

Victor H. Treat
Texas A&M University

F. Garvin Davenport, Jr. *The Myth of Southern History: Historical Consciousness in Twentieth-Century Southern Literature*. (Nashville: Vanderbilt University Press, 1970. Pp. xi, 212 Bibliography. Index. \$7.95.)

Professor Davenport has examined the fictional and non-fictional writings of Southerners from Thomas Dixon to C. Vann Woodward to identify and explain what he has called the "myth of Southern history." The four concepts of Union, Southern uniqueness, Southern mission, and Southern burden developed by early twentieth century Southern writers furnish the basis for the myth. Woodrow Wilson saw the South as re-joining the Union but he agreed with William Garrott Brown that Negroes must remain disfranchised. It was Thomas Dixon who brought all four themes together to explain the myth of Southern history. As Jim Crow segregation merged with United States expansion of control over brown people in the Caribbean and Pacific, Dixon struck a popular note when he wrote novels depicting Negroes as threats to Anglo-Saxon purity and applauded the inhuman tactics by which Southern whites had resisted post-Civil War efforts to include Negroes in Southern society. His influence was expanded by the popular success of D. W. Griffith's motion picture, *Birth of a Nation*, based on one of his books. Dixon's belief that Southerners were carrying out their mission of preserving white supremacy while assuming the burden of military defeat and violent suppression of Negroes was widely acclaimed in early twentieth century America.

In *I'll Take My Stand* the Southern Agrarians of the 1930s wrote of the uniqueness of the South in terms of an agrarian way of life unspoiled by the social and environmental disruptions of industrial development. But where Dixon's success was made possible because Southern attitudes on race matched national attitudes, the Agrarians failed because that was no

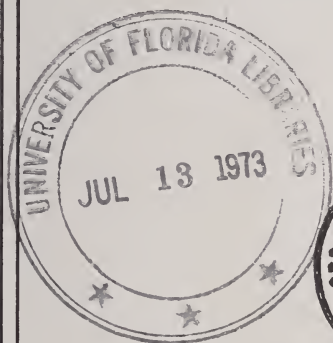
longer in their time. Depression, world war, and advancing technology operated against Southern uniqueness and chambers of commerce south of the Mason-Dixon line embraced industrialization with its assaults on rural life and racial segregation.

By placing the Southern dilemma in the context of national ideals and universal history William Faulkner upset the prevailing myth of Southern history. In his writings, the plantations stood in ruins and myths of moral innocence stood in stark relief beside the twisted remnants of aristocratic families. He called for Southerners to accept the burden of their past and put it to constructive use in meeting social problems which were becoming national in scope. Robert Penn Warren broke away from his Agrarian colleagues and called for Southerners to recognize the limits on the myth of innocence and accept responsibility for their past as a necessary step toward achieving progress in history. Following closely behind Warren, C. Vann Woodward thought it ironic that in a land of plenty and victory there existed people who had known hunger and defeat. Because of this "burden," the South's mission was to make America aware of its own history and the right of the rest of the world to its own values and beliefs.

By the 1960s, Davenport saw the South still frozen in its attitudes created by the old myth of Southern history. He thought that Martin Luther King, Jr., offered hope because his ideas stemmed from the Southern experience itself and rose above it. King echoed the warnings of Faulkner and Warren and called for fulfillment of Southern mission through nonviolent and love-centered achievement of racial justice, not only to give Negroes their rightful place in society but to free white Southerners from their burden.

Jerrell H. Shofner
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CONTENTS

Jose De Evia and His Activities in Mobile, 1780-1784, <i>by Jack D. L. Holmes</i>	105
<i>Bank of Augusta v. Earle: Corporate Growth v. States' Rights</i> <i>by Eric Monkkonen</i>	113
Fusion, Confusion, Defeat, and Disfranchisement: The "Fadeout of Populism" in Alabama <i>by Karl Louis Rodabaugh</i>	131
The Origin of the Alabama Department of Archives and History, <i>by Robert R. Simpson</i>	155
Book Reviews:	
Rogers and Pruitt, <i>Stephen S. Renfroe, Alabama's Outlaw Sheriff</i> , <i>by Sarah W. Wiggins</i>	171
Tindall, <i>The Disruption of the Solid South</i> , <i>by Sarah W. Wiggins</i>	172
Hamilton, <i>Hugo Black: The Alabama Years</i> , <i>by Hugh D. Reagan</i>	174

Notes

Milo B. Howard, Jr., Editor

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JOSE DE EVIA AND HIS ACTIVITIES IN MOBILE, 1780-1784

by

Jack D. L. Holmes*

The outstanding Spanish explorer of the Gulf of Mexico in the eighteenth century may well have been Jose de Evia.¹ Born in the small fishing village of La Grana on the north-western shore of Spanish Galicia in July, 1740, he was the son of Simon de Evia and Felipa de Gantes y Pravio de Evia. This was a family which had been closely connected with the sea for generations, and Jose's father had charted the Gulf coast of Louisiana as early as 1736. But it was Jose de Evia who was the outstanding explorer and whose accurate charts and soundings for the Gulf of Mexico virtually re-wrote the naval charts at the Spanish naval academies.²

The youth studied at the Royal Naval Academy of El Ferrol in Galicia and began his career as a pilot's assistant in 1755. While only a lad of eighteen he once took second-in-command of a ship when the officer became ill. For a number of years Evia cruised aboard ships in the Spanish squadrons plying the seas between Cadiz and the Gulf of Mexico. He tasted the fruits of naval victory in an engagement of 1760 against a British warship while serving in the coast guard of Cartagena de Indias.

Evia first arrived at New Orleans in 1771 aboard the

*This paper was read at the 49th Annual Meeting of the Alabama Academy of Science, Jacksonville, Alabama, April 14, 1972.

¹He was baptized Joseph Antonio de Evia. After he came to New Orleans in 1787, he changed the spelling of his name and was known henceforth as José de Hevia. His two sons, Francisco Hemeterio de Hevia and José Bernardo de Hevia, were both career officers in the Louisiana Infantry Regiment. Jack D. L. Holmes (ed.), *José de Evia y sus reconocimientos del Golfo de México, 1783-1796* (Madrid, 1968), 13, 21-22.

²Biographical data on Evia is based on *ibid.*, and this writer's following articles: "Gallegos notables en la Luisiana," *Cuadernos de Estudios Gallegos* (Santiago de Compostela, Spain), Fasciculo LVII (1964), 110-113; "Two Spanish Expeditions to Southwest Florida, 1783-1793," *Tequesta*, XXV (1965); and "Dramatis Personae in Spanish Louisiana," *Louisiana Studies*, VI (Summer, 1967), 177-180.

frigate *Volante*, a ship which would see action at Mobile nine years later. Louisiana's governor, Luis de Unzaga y Amezaga, sent Evia to the mouth of the Mississippi River to chart the several passes into that estuary and to check English corsairs which preyed on Spanish shipping. Naval historians have not emphasized the role of the Spanish-English disputes of the 1770's, but the "cold war" soon developed into hot combat when Spain declared war on England in 1779. Although much emphasis is given to the French fleet's contribution to American Independence during the Revolution, the only remark made by one study of the United States and world sea power regarding the campaigns of West Florida is the erroneous statement, "The Spanish were interested in strengthening their colonial posts, such as New Orleans, whose commander had daringly led an expedition against the British in the region of northern Lake Michigan. . . ."³

As a matter of fact, Spanish naval control of the lakes in Louisiana and West Florida—Pontchartrain, Maurepas and Borgne—was a key factor in allowing the land forces to capture the major British posts of Baton Rouge, Mobile, and Pensacola. Jose de Evia played an important role in these events. He had already demonstrated his bravery when an English sloop attacked the Spanish mail ship descending the Mississippi River. With a small boat and only sixteen men, Evia attacked and captured an English boat at the mouth of the Mississippi.⁴

Another English schooner had been sent in September, 1779, from Pensacola to reinforce the British Fort Bute de Manchac. Sixteen soldiers from the British 16th Regiment guarded the provisions, but Evia's launch had a crew of eleven marines and eleven sailors, and he successfully boarded and captured the enemy craft.⁵

³E. B. Potter (ed.), *The United States and World Sea Power* (Englewood Cliffs, N. J., 1955), 111.

⁴Service sheet (*Hoja de Servicios*) of Evia, March 30, 1793, Archivo-Museo Alvaro de Bazán Marina de Guerra (El Viso del Marqués, Spain), Sección de Indiferente, *Expediente* (dossier) on Evia. Printed in the appendix of Holmes, *José de Evia* (hereafter cited as Evia's Service record), appendix.

⁵José de Evia to Luis Lorenzo de Terrazas, Goleta Inglesa at the German Coast, September 3, 1779, Archivo General de Indias (Sevilla), Papeles procedentes de la Isla de Cuba, legajo 12; Holmes, *José de Evia*, 7, 246.

The captured vessel was in poor condition, however, and it shipped water badly. The pumps were broken, but Evia directed one of his men to repair one of them and he ordered the prisoners to take turns at the single pump. In addition to the captain of the schooner, four sailors, seven soldiers and a sergeant had been captured. As he set sail for the German Coast of the Mississippi above New Orleans with his prisoners, the captured schooner leaked so badly that Evia ordered it ashore on Lake Pontchartrain. From several Tory plantations he rounded up eight old Negro slaves and added them to his prisoners-of-war. With three Spanish sentries guarding the prisoners at work on the pump, the schooner limped badly, but Evia directed it to the German Coast and turned over his prisoners to the commandant on September 3, 1779.⁶

Less than three weeks later, Louisiana governor, General Bernardo de Galvez, accepted the surrender of Baton Rouge and transfer of Natchez from the English commander.⁷ The next step was the capture of Mobile's formidable "Castillo," which was ably defended by Captain Elias Durnford. Galvez left New Orleans on January 14, 1780, but bad weather kept him near the mouth of the Mississippi until February 6. Hurricane-strength winds almost destroyed the Galvez squadron before he landed on Mobile Bay.⁸

In his naval squadron, Galvez had a motley fleet which included a merchant frigate, 4 settees, one packet-boat, two bringantines, the galliot *Valenzeula*, the brigantines *Galvez-Town* and *Kaulican*, and the war frigate *Volante*, whose commander was Jose de Evia.⁹ On February 9, 1780, as the Spanish squadron drew near the entrance to Mobile Bay, look-

⁶*Ibid.*

⁷Jack D. L. Holmes, *Honor and Fidelity, The Louisiana Infantry Regiment and the Louisiana Militia Companies, 1766-1821* (Birmingham, Alabama, 1965), 30-31.

⁸Bernardo de Gálvez to Diego Joseph Navarro, No. 234, confidential, Dog River (Rio de los Perros), February 27, 1780, and No. 247, Mobile camp, March 4, 1780, both in Archivo General de Indias, Papeles procedentes de la Isla de Cuba, legajo 1232, and translated in the *Despatches of the Spanish Governors of Louisiana* (W. P. A. translations and typescripts; Louisiana State Museum Library, New Orleans), Book 2, Vol. X, pp. 26-26A, 38.

⁹John Walton Caughey, *Bernardo de Gálvez in Louisiana, 1776-1783* (Berkeley, California, 1934), 174-175.

outs spotted a frigate about the same size as the *Volante*. It was an English frigate, and the Spaniards immediately gave chase. In the meantime, another English ship, a two-masted coaster or *quairo*, had been captured inside Mobile Bay by a well-armed Spanish cannon launch under the command of Ensign Juan de Riano. The prisoners revealed that the English merchant frigate which the Spaniards were chasing had sailed for Mobile from Pensacola five days earlier with provisions. It had only sixteen mounted cannon and a twenty-man-crew.¹⁰

On the morning of February 10th, the wind picked up sharply from the southwest, whipping the sea into large swells. The Spanish fleet moved toward the shelter inside Mobile Bay, and Evia's *Volante* was the first to cross the bar, following which was Galvez's brigantine. Once across the bar, the two ships gave chase to the English frigate, whose crew had already left it abandoned on a sandbar in the channel. Evia failed to notice this because his prow was to the wind, and he had the misfortune of seeing his own frigate crunch into the sandbar. The catastrophe was compounded as the *Galvez* and four smaller vessels likewise ran aground on the sandbar.

The storm continued, thus making rescue attempts virtually impossible. The *Galvez* was finally removed from the bar after a thirteen-hour struggle at one A.M., but so damaged that she shipped nine inches of water an hour. Two of the other smaller vessels were also freed, and the disgruntled Spaniards struggled to remove the frigate and two of the boats. For several days sailors, troops and workers struggled to free the *Volante*, but without success. Finally, on February 15th, Galvez gave orders that the 800 Spaniards should try to salvage as much from the wrecked and grounded boats as possible.

Driftwood from the floatsam found along the shore was collected, and Galvez directed the manufacture of scaling lad-

¹⁰Details on the loss of the *Volante* at the entrance to Mobile Bay are based on the diary of Gálvez's seige of Mobile, dated Mobile, March 18, 1780, Archivo General de Simancas, Seccion Guerra Moderna, legajo 6912. A very poor, incomplete translation with innumerable errors, is in the Mississippi Department of Archives and History (Jackson), Mississippi Provincial Archives, Spanish Dominion, and has been transcribed in Mrs. Corinne McN. Lee in *Deep South Genealogical Quarterly*, V (February, 1968), 163-176.

ders to be used against Fort Charlotte. The eight guns from the *Volante* were removed and placed in a small battery erected on the eastern tip of Mobile Point near the present-day site of Fort Morgan State Park. Evia, who had been named captain of the port of Mobile for the duration of the siege, took command of this small post with forty men of the line and sixty sailors. He also reported on the defenses he had set on Dauphin Island, which guarded the western approaches to Mobile Bay.¹¹

Captain Durnford agreed to the terms of capitulation drawn up by Galvez on March 12, 1780, and Mobile became Spanish.¹² The British prisoners of war were loaded aboard the brigantine *Kaulican* and sent under guard to Havana. "The Captain of the frigate," wrote Galvez, obviously referring to Jose de Evia, "will give you an account of these men."¹³

Evia also served as a courier between Galvez and the Spanish squadron in the Gulf under the command of Juan Bautista Bonet. He sailed the packetboat *San Pio* as far as the 29th parallel North Latitude, delivered the dispatches, and was returning to Mobile with the answers. As he neared Pensacola, Evia was pursued by two British launches and a brigantine. Realizing his slow-moving craft would soon be captured, Evia ordered it to lower a ship's boat or canoe and took to the shore, landing near the mouth of Perdido River. Here he left the boat and moved on land through hostile Indian territory until he reached safety at Mobile as the sun set.¹⁴

In writing of the officers he felt had served during the Mobile campaign with particular distinction, Galvez wrote of Evia that he "was intelligent and active," and he considered him worthy of promotion to the rank of frigate ensign.¹⁵ Evia's

¹¹José de Evia to Bernardo de Gálvez, Dauphin Island, March 22, 1780, Archivo General de Indias, Papeles procedentes de la Isla de Cuba, legajo 12; Holmes, *José de Evia*, 7, 243-244.

¹²Caughy, *Bernardo de Gálvez*, 181-182. The surrender document also appears in Archivo General de Simancas, Guerra Moderna, legajo 6912.

¹³Bernardo de Gálvez to Diego Josef Navarro, No. 252, Mobile, March 20, 1780, Archivo General de Indias, Papeles procedentes de la Isla de Cuba, legajo 1232.

¹⁴Evia's Service Record; Holmes, *José de Evia*, 244.

¹⁵Bernardo de Gálvez, "Account of the Officers which have been involved in the conquest of Mobile . . . and Promotions to which I consider them Entitled," n.p., n.d. (New Orleans, June, 1780?), Archivo General de Indias, Papeles procedentes de la Isla de Cuba, legajo 113.

promotion was approved on August 13, 1783, and he continued to hold the post of pilot first-class.¹⁶

Following the conquest of Mobile in 1780 and the glorious siege and capture of Pensacola the following year, Evia was transferred to the Royal Arsenal of Havana, but he did not find challenge in shore duty. Galvez realized that the British naval charts of the Gulf coast were inaccurate, and in order to draw up a new set of accurate charts, indicating the land-marks for mariners to follow in navigating the Gulf Coast, he named Evia to head a reconnaissance of the coast line from the Florida Keys to Tampico, Mexico.¹⁷

Aboard the small ship *El Comendador de Marsella*, Evia explored Tampa Bay and the west coast of Florida until forced by a seasonable hurricane in 1783 to return to Havana. The following year he resumed his voyage along the coast of Florida, Alabama, Mississippi and by 1786 he had charted the entire coast from Cape San Blas to Tampico.¹⁸

His description of Mobile Bay is far superior to that provided by the English mariner, George Gauld, who had traced the Gulf in 1769 and the early 1770's.¹⁹ Evia wrote of Mobile Bay in 1784:

The greatest depth of water over the Mobile bar, or rather Mobile Bay (because there is another bar at the entrance of the river next to the city), is only from fifteen to sixteen feet. The surest landmark for entering at the highest tide is to set the easternmost point of Dauphin Island on a course North by Northwest 4° West, and continue in this direction until Mobile Point lies a distance of four miles to the North, which shall be over the bar in seven or eight fathoms, but it soon drops to three, and at an-

¹⁶Evia's Service Record; Holmes, *José de Evia*, 239.

¹⁷*Ibid.*, 9-12.

¹⁸*Ibid.*, 29-190.

¹⁹Gauld's "A General Description of the Sea-Coast, Harbours, Lakes, & c.^a Of the Province of West Florida, 1769," is in the manuscript collection of the American Philosophical Society (Philadelphia), Vol. 917.59/G23. It is included in the full-length study of Gauld being written for the University of Florida Press by Captain John Ware of Tampa.

other sounding, it falls off again to seven fathoms on the inner side. You should always use caution because the difference in depth is of such a short distance, and the continually changing tides make it imprudent, especially in bad weather, for a ship drawing more than ten feet to seek its entrance. . . .²⁰

Evia continued his description by pointing out the several streams flowing into Mobile Bay:

From Mobile Point to the fort and town it is eleven leagues to the North; the width of the Bay is generally from three to four leagues. From Mobile Point there is a creek which flows six leagues to the East, thus forming a narrow peninsula between this point and the sea. The River of Good Help (Rio de Buen Socorro or Bon Secour) flows into the bottom of this Bay, and Fish River and the Falls (El Salto), are along the northern perimeter of it, along which there are a large number of settlers.

On the western part of Mobile Bay there are also some rivers, but none of much consideration, with the exception of Fowl River (Gallinas), by which there is a small internal communication to the West and to that of Dog River (Los Perros), which flows into the bay about nine miles below the fort and town where the Spanish troops under the command of His Excellency the Count of Galvez, disembarked in the year 1780 and began the siege of that town.

Evia noted that Dauphin Island and Massacre Island were once joined and he observed that Pierre Le Moyne, Sieur d'Iberville, has named the latter for a "large mound of human bones found there on his first landing, but later it was called Dauphin Island in honor of the Dauphin of France in order to erase the unsavory idea of the name Massacre."²¹

²⁰Holmes, *José de Evia*, 67-71.

²¹On the early history of Dauphin Island see Jack D. L. Holmes, "Dauphin Island's Critical Years: 1701-1722," *Alabama Historical Quarterly*, XXIX, Nos. 1-2 (Spring and Summer, 1967), 39-63.

When he completed his reconnaissance of the Gulf of Mexico in 1786, Evia was rewarded with the appointment as captain of the port of New Orleans and commander of the Louisiana Coast Guard. He brought his wife and two sons—all natives of Havana—to New Orleans with him in 1787 and remained there, a zealous guardian of the Royal Treasury and a dedicated naval officer, until the 1803 transfer of Louisiana to the United States. He then returned to Havana, where he spent his declining years, happy in the knowledge that his excellent descriptions and charts were avidly studied by a new generation of pilots and mariners studying at the Royal Naval Academies of Spain.²²

The brief sketch of Evia's activities in and around Mobile Bay is indicative of what must be done by historians of early Alabama if they are to tell the complete story of the colonial period. Galvez's capture of Mobile in 1780 has hardly been given the emphasis it merits, and who among you has ever heard the name of Jose de Evia?

²²Holmes, *José de Evia*, 13-26.

BANK OF AUGUSTA v. EARLE:
CORPORATE GROWTH v. STATES' RIGHTS

by
Eric Monkkonen

Part I

Summary

The three cases known as the Alabama or Comity Cases have had a continuing, though changing, significance in American constitutional and economic history. The decision handed down by Taney marked the end of a legal conflict which had begun early in the Panic of 1837; the decision marked the beginning of the Court's stand on foreign corporations, the beginning of economic nationalism, and the beginning of the peculiar American attitude towards control of economic forces.

The case arose out of Joseph Earle's refusal in Mobile to pay a bill of exchange to the Bank of Augusta, Earle contending that out-of-state banking corporations were forbidden by Alabama's constitution, which gave the state bank a monopoly. Earle also tried the same trick on the New Orleans and Carrollton Railroad Company, a banking corporation. The Bank of Augusta brought suit in Circuit Court, and newly appointed Justice John McKinley of Huntsville decided in favor of Earle. His decision was based on two points: first, he agreed with Earle that the Alabama constitution prohibited out-of-state banks from doing business within the state; second, he argued that the international legal theory of comity did not apply and that corporations cannot operate outside the jurisdiction of the legislative body which created them (now known as the "restrictive theory" of corporations).

Not too surprisingly, after McKinley's decision, a William Primrose refused to honor a bill of exchange on the Bank of the United States, operating under a charter from the state of Pennsylvania. As most banks, including the Bank of Augusta, suspended payment during the Panic of 1837, a legal basis for refusing to pay on bills of exchange would have been

a boon to cotton factors and merchants. The Panic ended quickly, however; "flush times" returned; and Earle's device was no longer needed. The case went up to the Supreme Court on a writ of error, Justice Story noting that McKinley's decision had "frightened half of the lawyers and all the corporations of the country out of their proprieties."

The Court considered all three cases together and, although all involved touched on McKinley's first point, the Alabama constitution, the major center of the arguments and Taney's decision was the question of comity and the related problem of the "restrictive" and "liberal" theories of corporations. Briefly, the "restrictive" theory of corporations holds that the corporation has no extraterritorial existence; created as a legal entity, it cannot exist beyond the jurisdiction of its creating authority. This theory evolved in the seventeenth and eighteenth centuries as a corollary to the special, privileged nature of corporations. The "liberal" theory of corporations, on the other hand, holds that once chartered, the corporation may move from the area of jurisdiction in which it was created. Proponents of this theory, which is implicitly accepted today, admit its somewhat illogical basis—for it amounts to extraterritorial legislation—but point to its practicality. In 1839, the terms, "liberal" and "restrictive," were not applied this way, but the arguments before the court accepted and even defined these concepts.

Daniel Webster, arguing for the Second Bank of the United States, took the "liberal" point of view, contending that once created a corporation was free to move about and was in fact a citizen under the Constitution. This entitled corporations to the privileges and immunities clause, Art. IV, Sec. 2: "The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States." Charles Jared Ingersoll argued, for James Earle, the "restrictive" theory:

Corporations are creations of municipal law, having no existence or power to contract whatever, until enabled so to do by a law, or other legitimate permission of the sovereignty wherever acting. Especially is this conservative principle indispensable as an undelegated right of these

United States. Otherwise the smallest member of this union may legislate for and govern all the rest.'

The other arguments before the Court ran along the same lines, the major variation being the argument of D. B. Ogden which claimed comity was an implicit binding principle between states. The principle of comity (that one sovereignty honor another's laws if possible), though used in conjunction with the "liberal" theory of corporations, was really an independent argument which did not consider corporate law.

In his decision, Taney took advantage of the principle of comity to avoid confronting a choice between the "restrictive" and "liberal" theories. He denied that corporations were citizens and agreed that laws, including corporate charters, did not have extraterritoriality. But he held that comity was implicitly accepted by every state and, unless it was explicitly repudiated, the Court had to assume its existence.

Interpretations of the meaning of his decision have varied greatly due to its avoidance of issues and inherent ambiguity. After all, he rejected the "liberal" theory of corporations but accepted the "liberal" practice. This has led one recent commentator to plead for a revision of the theory and for an end to the deplorable difference between theory and practice. Other commentators see Taney's decision as a brilliant acceptance of the "liberal" theory of corporations and his conceding states the right to repudiate comity as a sensible approach to corporate regulation. At the time of his decision, Alabamians saw it as an encroachment upon their rights; Justice McKinley, in his dissenting opinion, saw the Court as imputing national power to the states. The old Federalists saw the decision as a boon to corporations; Justice Story congratulated Taney on the decision and said it did "honor" to Taney and the Court—no doubt thinking of the Federalist Marshall Court. Other recent writers have seen the case as laying the foundations for the non-regulatory state after the Civil War, while some see it as a causal factor in the growth of corporate capitalism. Finally, some see it as a concession, neither retarding nor creating institutional, economic, or legal change.

¹*Bank of Augusta v. Earle*, 13 Peters 580 (1839).

But the most significant import of the case is in its legitimizing and institutionalizing the concept of positive regulation. This position was hinted at by McKinley in his dissenting opinion:

. . . [the] Court having . . . conceded that Alabama might make laws to prohibit foreign banks to make contracts, thereby admitted, by implication, that she could make laws to permit such contracts. I think it would have been proper to have left the power there, to be exercised or not, as Alabama, in her sovereign discretion, might judge best for her interest or comity.²

In other words, McKinley is saying that there are two approaches to regulating corporations, one giving the state the power to forbid, the other giving the state the power to permit; or one requiring positive effort on the part of the state to regulate, the other having implied regulation, requiring positive effort to allow corporate action. I call the first the concept of positive regulation, the other, negative regulation. By approving the concept of positive regulation, Taney set the stage for continuing efforts of the state to police corporations, with laxness on the part of the state allowing often dangerous corporate freedom. Had the negative regulation concept been sanctioned, the corporation would be required to ask permission for all actions, a change which would put the state automatically in control of corporate action.

It can be seen, then, that the implications and long-range effects of this case are still with us, even though these effects change with the economy. And what was once a regulatory and egalitarian point of view has become an anti-regulatory and privileged position.

Part II

Cultural Context

There are three levels of cultural context within which to view *Bank of Augusta v. Earle*: the integrated commercial-

²*Ibid.*, p. 601.

political structure of Alabama as the participants themselves viewed it; the nature of institutional growth and change in the period from our perspective; and, finally, the broader patterns of economic growth and change, again seen from our point of view. The best, and most entertaining, way to find how the actors perceived their own environment may be to review the writings of the southwestern humorist, lawyer, and legislator, Joseph G. Baldwin.³ Widely known and appreciated by his fellow Alabamians for his wit and insight, Baldwin sees the economic world as one of "humbug" and deception, with paper money and corporations at its false base. Although William Garrett, the secretary of state of Alabama, is dead serious in his *Reminiscences*, his vocabulary inconsistency ("pecuniary revulsion" or "disruption" for panic) and his description of the carnival atmosphere connected with bank affairs convincingly demonstrate Baldwin's accuracy.⁴

There is, of course, much more literature available on the second level of explanation, which describes, from a modern point of view, the institutions of the period, especially those of corporations. C. G. Summersell points out the lack of banking facilities in Mobile (there were two), and one can infer the difficulties this created for the merchants and factors in the busy cotton-exporting port.⁵ Although there is an excellent study of Alabama bank history, there are no studies of Alabama's economy in this period; however, recent work done on other states can be of use in understanding the general patterns of local economies.⁶ For Missouri, James N. Primm has shown, in a short, well-written book, how, until 1836, corporations, as government agencies, were chartered mainly for public services, schools, and hospitals, "to facilitate the growth, prosperity, and welfare of the community."⁷ The pace of incorporation speeded

³Joseph G. Baldwin, *The Flush Times of Alabama and Mississippi* (Americus, Georgia: Americus Book Co., 1851).

⁴William Garrett, *Reminiscences of Public Men in Alabama, for Thirty Years* (Atlanta: Plantation Publishing Co. Press, 1872).

⁵Charles G. Summersell, *Mobile: History of a Seaport Town* (University of Alabama: University of Alabama Press, 1949).

⁶William H. Brantley, *Banking in Alabama, 1816-1860*, 2 vols. (Birmingham, Alabama: by the author, 1961-1967).

⁷James N. Primm, *Economic Policy in the Development of a Western State, Missouri, 1820-1860* (Cambridge: Harvard University Press, 1954), p. 35.

up in 1836, and a state bank was finally chartered in hopes of stopping currency drain and loss of profits to other states. The bank's key role in public policy indicates its political, economic, and public importance, a role approximated by that of Alabama's state-owned bank. It is small wonder, then, why Alabama felt threatened by out-of-state banks. The Bank of Augusta, with one-sixth of its stock reserved for the state, was a good source of income for Georgia, although even it had to suspend payments in the Panic of 1837.⁸ Louis Hartz' study of Pennsylvania provides an important example of a state losing control of its investments due to its consistent policy of creating a corporation and funding it but providing as little administrative help as possible.⁹ Those who were delegated to control the vast state enterprises were hopelessly overworked and without power; thus, even the state control implicit in charter grants was often unenforced.

Although these three state studies are helpful in getting an idea of the ways states interacted in their economies, there are other studies which describe institutional patterns. Guy S. Callender has established two reasons for the key functions of southwestern state banks.¹⁰ The economic growth of the "flush times" created a demand for capital; since there were no savings banks, taxation and state investment served this function. Further, the Southwest had the greatest demand and the most difficulty finding capital; only through state banks (which backed their credit with the prestige of the state) could northern and European capital be attracted. "Thus in the Southwest, where nature already provided an adequate system of transportation, the State banking enterprises formed the counterpart of the internal improvement movement of the North and East."¹¹ Bray Hammond points out that this pattern was not completely consistent: Missouri, Iowa, Texas, Oregon, Arkansas, and California prohibited banking, while Michigan, Wisconsin, Illinois,

⁸Milton S. Heath, *Constructive Liberalism: The Role of the State in Economic Development in Georgia to 1860* (Cambridge: Harvard University Press, 1954).

⁹Louis Hartz, *Economic Policy and Democratic Thought: Pennsylvania, 1776-1860* (Cambridge: Harvard University Press, 1948).

¹⁰Guy S. Callender, "The Early Transportation and Banking Enterprises of States in Relation to the Growth of Corporations," *Quarterly Journal of Economics*, XVII (1902) 111-162.

¹¹*Ibid.*, p. 162.

and Indiana had free banking.¹² Though he is prejudiced in favor of the National Bank, Hammond's point does serve a corrective to the easily created rationality of the actor's understanding of banking—when the depression came, state legislatures often did the opposite of whatever they had been doing.

Besides the local studies of the mixed state economies and the banking studies, there are few good studies of corporations and the "Ameican system" of the public-private economic interface. John P. Davis traces the evolution of European and early nineteenth-century corporations from institutions " 'for the advantage of the public' as in 'the advancement of religion, or learning, and of commerce' " to private business institutions.¹³ In an interesting aside, Davis notes how "the system of law lingers behind society" in dealing with corporations, a partial explanation of the Court's difficulty in limiting corporate expansion. Economic efficiency, limited liability, and freedom from state interference were not characteristics of the colonial business corporation, according to Oscar and Mary Handlin.¹⁴ They were conceived of as an agency of government with privileges and power for serving a social function for the state—a partial reason, no doubt, for the fears of those who began to perceive the changing nature of corporations. Robert Lively best summarizes the recent work done on governmental interaction in the economy. King *laissez faire* is not only dead, he concludes, but "the hallowed report of his reign had all been a mistake."¹⁵ Lively points out the one major shortcoming of this work, a problem not easily solved—its failure to measure quantitatively the impact of government in the economy.

There has been one study on the third level of explanation, the description of broad movements in the economy which attempts to measure the effects of government intervention. Henry W. Broude found that quantitatively little money was

¹²Bray Hammond, *Banks and Politics in America: From the Revolution to the Civil War* (Princeton: Princeton University Press, 1957).

¹³John P. Davis, *Corporations: A Study in the Origin and Development of Great Business Combinations* (New York: G. P. Putnam's Sons, 1905), p. 211.

¹⁴Oscar and Mary Handlin, "Origins of the American Business Corporation," *Journal of Economic History*, V (1945), 1-23.

¹⁵Robert Lively, "The American System: A Review Article," *Business History Review*, XXIX (1955), p. 82.

spent by government agencies in the nineteenth century (about 2.4% of GNP in 1939).¹⁶ He feels that this small amount was highly significant in causing economic growth because of the way in which it was spent—in specific and direct support to selected industry; in risk taking, innovation, and bottleneck removing; and in creating a favorable economic climate and thereby raising the expectations of the private sector.

Two other studies on this third level of explanation help us establish the economic context of *Bank of Augusta v. Earle* and show how the case came at a critical point in the nineteenth-century's economic development. Anna J. Schwartz has computed the rates of corporate profit growth.¹⁷ She found that the period 1835 to 1859 had a higher growth rate than either that of 1859 to 1871 or 1871 to 1890 (which tends to support Douglass North's contention that the Civil War was an interruption to economic growth). This indicates the crucial importance of Taney's decision sanctioning interstate corporate expansion and growth. Douglass North emphasizes the key importance of the cotton export trade until the 1839-1843 depression.¹⁸ Because cotton was the major export, fluctuations in its price caused fluctuations in the American economy and, when the fall of cotton prices from 1837 on was joined by the drop in western land sales, a major depression set in. North's emphasis on interregional and international trade implies the crucial economic significance of foreign (or out-of-state) corporations and money transfer through bills of exchange. Because of all of these factors, we can see how Taney's decision could have easily wrecked the economy had it been against the plaintiff. We cannot claim Taney's decision caused the corporate and economic growth of the nineteenth century, but certainly it provided the foundation of federal policy and legitimized the basis of the American economy.

¹⁶Henry W. Broudé, "The Role of the State in American Economic Development, 1820-1890," *The State and Economic Growth* (New York: Social Science Research Council, 1959), pp. 4-25.

¹⁷Anna J. Schwartz, "Growth Dividend and Interest Payments by Corporations at Selected Dates in the Nineteenth Century," *Trends in the American Economy in the Nineteenth Century* (Princeton: National Bureau of Economic Research, 1960).

¹⁸Douglass North, *The Economic Growth of the United States, 1790-1860* (New York: W. W. Norton and Co., 1966).

Part III

Specific Causes

Unfortunately, there is little material in which are discussed the issues of this case on a local and specific level. We shall never know if Earle was just trying to pull a slippery maneuver during the Panic of 1837 or whether the case represented the result of a long struggle in Alabama; the national importance of the case has obscured its origins and, if it were not for the broader patterns described above, the case would seem almost like a random occurrence. Garrett's *Reminiscences* and Baldwin's *Flush Times* make clear that the Panic of 1837 was perceived as a result of Jackson's specie circular. Perhaps Earle's maneuver was viewed as another attempt to fight back against the false paper corporations. Clearly, the Panic and the following depression caused some desperate economic behavior in the West; as Hammond has shown, the Westerners were not reluctant to try any expedient. Possibly the most important aspect of this case which has been neglected is in the attempt of Alabama to control corporations in its local economy, from the state bank chartered by the constitution in 1822 to the state's obvious lack of control over various external factors in 1848. If the experience of Pennsylvania, as described by Hartz, is at all typical, most states lost control of their quasi-public corporations; this loss of control needs more careful examination to see what kind of patterns were developing. And the image that emerges is of the states holding a tigerish economy by the tail.

Perhaps one of the most significant elements in this case is the newly appointed justice, John McKinley. His only biographer, Thomas Speed, notes that McKinley, a native of Culpepper County, Virginia, was a Huntsville resident who distinguished himself first in the United States Senate and later in the House. "He was," says Speed, "a man of high and noble aims, possessed of remarkable force and energy. In appearance he was tall and commanding, with a countenance that exhibited great strength of character, and wore an habitual benevolent expression. . . ."¹⁹ His dissent in *Bank of Augusta v. Earle*, which is,

¹⁹Thomas Speed, "United States Courts in Kentucky," *The Lawyers and Law-makers of Kentucky*, ed., H. Levin (Chicago: Lewis Publishing Co., 1897), p. 150.

according to Charles Warren, a recasting of his Circuit Court opinion, remains a fitting monument to his life. (*Federal Cases* does not contain McKinley's Circuit Court decision.) Upholding the restrictive theory of foreign corporations, and the rights of Alabama, McKinley's decision radically ignored the dependence of the national economy on bills of exchange. He perceived a difference between Jacksonian principles and contemporary practice and opted in favor of principles; like Thoreau or Ann Hutchinson, he did so at a crucial moment, such that his decision threatened society; like Thoreau's or Hutchinson's, his decision could not have been allowed to stand.

Part IV

Case, Ruling, Court

All of the lawyers who argued this case before the Court were well known in their day, but, with the exception of Daniel Webster, their significance seems to have faded. The name of Charles Jared Ingersoll, Philadelphia poet, playwright, historian, and lawyer, was once a rallying standard for the enemies of large corporations, money powers, and other unpopular causes. Described to his grandson as "sharp and incisive as a hatchet," he was noted for his enmity towards John Sergeant and his eccentric penchant for wearing costumes of the revolution.²⁰ Little fame remains of this once controversial and eccentric character, possibly because lawyers are no longer our society's culture heroes.

Daniel Webster is, of course, an archetypal lawyer, and there is more material on him than on anyone else involved in this case. There is no modern scholarly edition of his complete works and letters. In his published letters, the only reference Webster makes to the Court before which he argued this case is a blase, "the business before the court is not now great, nor is the court itself what it has been [a reminder of the Marshall court's prestige]."²¹ His main concern is over his

²⁰William M. Meigs, *The Life of Charles Jared Ingersoll* (Philadelphia: J. B. Lippincott Co., 1897), pp. 307-310.

²¹Daniel Webster, *The Writing and Speeches of Daniel Webster* (Boston: Little, Brown and Co., 1903), Vol. XVIII, p. 42.

upcoming European trip! Maurice G. Baxter claims that this case was one of Webster's "most important banking and corporation cases," a contention which clearly reflects Baxter's, and not Webster's, point of view.²² Baxter also claims that politically the case represented an extension of Jackson's Bank War, an analysis which is probably incorrect (for several reasons: Taney's decision was for the plaintiffs, including Bidle's bank; Primrose's refusal to honor a bill of exchange came *after* the Circuit Court decision, indicating the potential results of a decision in favor of Earle; the decision effectively made any state bank a national bank; and the anti-nationalist states' rights point of view also argued for comity). Even for Webster, then, a really careful study of his relationship to this case is lacking.

Representing the Second Bank along with Webster was John Sergeant, the Second Bank's chief legal political advisor and Charles J. Ingersoll's enemy. Somewhat surprisingly, David B. Ogden, who represented the Bank of Augusta with a states-sovereignty-comity argument, turns out to be a well-known Federalist! In a famous argument, he once said, "We deny . . . there is any such thing as a sovereign state."²³

William J. Vande Gruff, who defended Primrose, is unmentioned in the *Dictionary of American Biography*. Probably Garrett refers to the same man in his *Reminiscences* as "William J. Vandegraff, Esq., formerly of Kentucky, a gentleman of profound acquirements."²⁴ Colonel Vandegraff also chaired an anti-specie suspension meeting in Mobile in 1837, shortly before payments were suspended.²⁵ Thus, Vandegraff, or Vande Gruff, enjoyed a local reputation even though the Supreme Court reporter couldn't spell his name right.

The composition of the Court in 1839 was truly Jacksonian, only Story, appointed by Madison, and McKinley, appointed by Van Buren, were not Jackson appointees. But the common

²²Maurice G. Baxter, *Daniel Webster and the Supreme Court* (University of Massachusetts Press, 1966), p. 182.

²³*Cobens v. Virginia*, 6 Wheaton 346 (1821).

²⁴Garrett, p. 191.

²⁵Brantley, I, 353.

assumption that Jackson was as anti-court as he was anti-bank is erroneous, according to Richard P. Longaker.²⁶ Jackson's often-cited "John Marshall has made his decision; now let him enforce it" is not typical of his Court attitude and was specific to the issue. Longaker concludes that Jackson kept the Court in tune with the times by his appointments and "showed guarded but genuine respect for the judiciary."²⁷ His enemy was John Marshall, not the Court, an important distinction which reminds us of the personal, non-issue oriented nature of early nineteenth-century politics.

The key to understanding the Jackson Court is Chief Justice Roger B. Taney. Although Taney's earliest biographer, Tyler, is obviously biased in favor of his subject, he had access to primary material and personal reminiscences; further, as a contemporary and friend of Taney's, even his style and attitude tell us much.²⁸ In giving the details of Taney's planter aristocracy upbringing, Tyler misses the point of an interesting pattern: for five generations the younger Taney sons had been purchased plantations by their fathers, but in Roger's generation this was no longer feasible or profitable; thus he went to college and became a lawyer, a sign of changing times and an industrializing economy. As a young Maryland lawyer and bank director, Taney made Luther Martin his model, sided with Burr, and later defended the infamous General Wilkinson for free, establishing his affinities with Jackson. Taney's upbringing and career should make one suspicious of any anti-aristocracy or anti-corporate feelings attributed to Taney, yet Carl Swisher claims that even after 1839 "Taney continued distrustful of corporations. . . ."²⁹ Swisher's error should instruct us to be more careful to distinguish, as Taney apparently did, between "great moneyed corporations" (bad) and normal, if still large, corporations (good). The ignoring of this dis-

²⁶Richard P. Longaker, "Andrew Jackson and the Judiciary," *Political Science Quarterly*, LXXXI (1956), 341-364.

²⁷*Ibid.*, p. 364.

²⁸Carl B. Swisher, *Roger B. Taney* (New York: Macmillan Co., 1935) is the standard biography of Taney; however, its treatment of Taney's early life and *Bank of Augusta v. Earle* is rather sketchy. More useful is Samuel Tyler, *Memoir of Roger Brooke, LL.D.: Chief Justice of the Supreme Court of the United States* (Baltimore: John Murphy and Co., 1872).

²⁹Swisher, p. 386.

inction has continued through the literature from Charles Beard to Stuart Bruchey to Arthur S. Miller. At worst, this error has caused historians to see Taney's decision in *Bank of Augusta v. Earle* as paradoxical: "It was Taney's fate to usher in the corporate age, even though, before he came to court, he held strong disapproving views of corporate power."³⁰ Remembering that Taney was of the landed gentry and a Federalist bank director whose main legal specialty was business suits should help us keep some perspective.

Most commentators summarize Taney's decision rather than analyze it; the notable exception to this is Gerard C. Henderson.³¹ Henderson is *the* authority on the legal status of foreign corporations and most writers summarize his analysis and judgments as authoritative. Taney's decision in *Bank of Augusta v. Earle* is the "fountain head of the law of foreign corporations in America," according to Henderson.³² Taney steered a middle course between the arguments, denying a corporation's extraterritorial existence, yet circumventing this by implied consent through comity. Henderson criticizes Taney very mildly for not distinguishing between civil and functional status and instead claiming that the right of a corporation to sue implies a right of contract. "The Court did not grasp this occasion, as it might well have done, to lay down, or even consider, the distinction on which foreign jurists have laid so much stress, between functional and civil capacities."³³ Unfortunately, Henderson's comment is usually ignored by historians in favor of his comment that Taney had ample precedent to give corporations protection under the privileges and immunities clauses.

Part V

Immediate Reaction

Probably some of the best criticism of Taney's decision came immediately in the form of McKinley's dissenting opinion.

³⁰ Arthur S. Miller, *The Supreme Court and American Capitalism* (New York: Free Press, 1968), p. 44.

³¹ Gerard C. Henderson, *The Position of Foreign Corporations in American Constitutional Law* (Cambridge: Harvard University Press, 1918).

³² *Ibid.*, p. 42.

³³ *Ibid.*, p. 48.

Using the restrictive theory of corporations, McKinley claimed, "This is the first time since the adoption of the Constitution of the United States, that any federal Court has, directly or indirectly, imputed national power to any of the states of the Union."³⁴ McKinley's reaction was seconded by Governor Bagby of Alabama. His speech is briefly summarized in *Niles National Register*.³⁵ The Court's decision, he claimed, was a "palpable and direct encroachment upon the sovereignty of Alabama." Aside from a summary of Webster's argument, *Niles* is strangely silent on the case; its two references are so worded that one feels that the cases were familiar, but that the decision was foregone. One history of the Supreme Court cites many newspaper articles on the case but, on the basis of Webster's letter, the low-key reaction in *Niles*, and the reputation Governor Bagby had for long-winded oratory, one suspects that the case was not seen as a hot issue.³⁶

Two remarks in letters written by Justice Story stand as evidence of the fear McKinley's decision created and the relief of Taney's decision. Story, in a letter to Charles Sumner, of June 1838, says, "My brother, McKinley, has recently made a most sweeping decision in the Circuit Court of Alabama which has frightened half the lawyers and all the corporations of the country out of their propertities. . . . What say you to all this? So we go!"³⁷ In another letter, written to Taney after the case, Story says, "Your opinion in the corporation cases has given very general satisfaction to the public; and I hope you will allow me to say that I think it does great honor to yourself as well as the court."³⁸ The only personal reaction on the losing side of the case, other than in McKinley's dissenting decision, is a letter written to Ingersoll by a Mr. Gilpin in which Ingersoll "was told in reply that he should not be worried at his inability to defeat a corporation, when the whole country had to bear them, as Sinbad had his burden."³⁹

One problem with all of the above evidence is that it

³⁴13 Peters 598 (1839).

³⁵*Niles National Register*, LVII (De. 28, 1839), 278.

³⁶Charles Warren, *The Supreme Court in United States History* (Boston: Little, Brown, and Co., 1922).

³⁷Warren, p. 50.

³⁸Tyler, p. 288.

doesn't really show the impact of the case on any other than those directly concerned with it. If Story is correct—that McKinley's Circuit Court decision did scare corporations dealing in interstate bills of exchange—then there should have been a measurable drop in this kind of exchange until Taney made his decision for the plaintiff. Because almost two full years lapsed between McKinley's decision and the Supreme Court decision, perhaps bills of exchange were made on shorter notice (during this period) so they could be recovered before any final decision was made. At any rate, citing a few newspaper articles and letters does not concretely establish any kind of immediate impact; here we need what Arthur S. Miller calls "impact analysis" of a quantitative nature.

Part VI

Long-Range Effects

(A *caveat*: Ogden, in his argument before the Court, pointed out the Court was deciding on what had been a common practice for fifty years—the buying of bills of exchange. Although there are certain qualifications to his point, it was essentially correct; thus, in one sense the Court merely legitimized a common practice, and talking about the decision's long-range effects can be somewhat meaningless.)

Charles and Mary Beard, in *The Rise of American Civilization*, give the Taney decision a misreading which has become traditional: "For practical purposes they [Jacksonian judges] declared the states to be sovereign." These "agrarian actions" wrought "havoc" in the economy.³⁹ Bray Hammond, not referring to this specific case, claims Taney ruled on "the side of *laissez faire* and rampant business individualism."⁴⁰ Finally, in this same mode of looking at Taney and *Bank of Augusta v. Earle*, Stuart Bruchey, the well-known business historian, talks about corporate expansion, "corporate egalitarianism," and Taney. He concludes, "The extent to which the pre-Civil War rise of the business corporation can be attributed to the en-

³⁹Meigs, p. 294.

⁴⁰Charles and Mary Beard, *The Rise of American Civilization* (New York: Macmillan Co., 1927), p. 689.

couragement of the Taney Court is difficult to estimate, but it seems likely the new jurisprudence was influential."⁴² Although Bruchey judges the effect of the Taney Court as good and Beard and Hammond judge its effect as bad, all three agree that it caused growth of egalitarian, *laissez faire* corporatism.

Another way of looking at the long-range effects of the *Bank of Augusta v. Earle* decision is from the legal point of view. This treatment is best exemplified by Henderson's *Position of Foreign Corporations*. Henderson sees this as the key decision on foreign corporations, a beginning of the evolving "liberal theory" of corporations. Further, three dicta laid down by Taney have shaped all law on this subject since 1839. These are: 1) corporations are not citizens and do not come under the protection of the privileges and immunities clause of the Constitution; 2) he established the doctrine of implied consent by states not specifically forbidding corporations; 3) he proclaimed the power of a state to repudiate comity. Haines and Sherwood feel the decision brought "about what amounted to a radical and in effect a revolutionary innovation" in evolving this aspect of the "liberal theory" of foreign corporations.⁴³ A leading legal theorist maintains that there is still a clear divergence between concept and treatment of corporations stemming from the *Bank of Augusta v. Earle* decision. The restrictive theory of a corporation's non-extraterritoriality is still a valid concept, he says, while a liberal theory of practical extraterritoriality guides judicial decisions, "a continued evasion and circumvention through a fictional technique of the traditional doctrine enunciated by Taney."⁴⁴ The author feels that theory should be brought into alignment with practice, a position implied by Henderson. Thus, all of these authors feel Taney's decision forms the legal basis for modern treatment of foreign corporations, and they all wish he had been more bold in adopting the liberal theory.

⁴¹Hammond, p. 337.

⁴²Stuart Bruchey, *The Roots of American Economic Growth, 1607-1861: An Essay in Social Causation* (New York: Harper and Row, 1965), p. 139.

⁴³Charles G. Haines and Foster H. Sherwood, *The Role of the Supreme Court in American Government and Politics, 1835-1864* (Berkeley: University of California Press, 1957), p. 56.

⁴⁴M.B.R., "The Adoption of the Liberal Theory of Foreign Corporations," *Association of American Law Schools, Selected Essays on Constitutional Law: Bk. 3, The Nation and the States* (Chicago: The Foundation Press, 1938), p. 1491.

Another group of scholars sees in Taney's decision the foundations of corporate growth in the nineteenth century. Although he does not refer specifically to *Bank of Augusta v. Earle*, J. Willard Hurst says the total effect of Taney's decisions regarding corporations was that the "law lent its weight to the thrust of ambitions."⁴⁵ One author claims that the decision encouraged the "commercial harmony" of the country while the long-range result "was decidedly to encourage corporate expansion."⁴⁶ Arthur S. Miller notes in his preface the lack of "impact analysis" (the difference a decision makes in business behavior) and then goes on to trace two kinds of political-economic policies of the Court. He thinks that up to the Civil War the Court promoted internal growth, while after the war it gradually changed to regulating. Thus, though he sees Taney as helping economic growth, the effects of his decisions are not as long-ranging as the more legalistic point of view believes. The specific case of *Bank of Augusta v. Earle*, in Miller's view, is of interest only to historians, and he notes it is not mentioned in recent legal textbooks. He contends that the principle of state repudiation of comity was meaningless because states were promoting any kind of economic expansion.⁴⁷ Kent Newmeyer sees the decision as "a concession to the realities of American economic life," operating as neither a causal nor a retarding factor in the economy.⁴⁸ And, of course, Stuart Bruchey's judgment, cited before, stands also with this group, Bruchey emphasizing egalitarian opportunity and the growth of corporations.

Finally, two writers on this case hint at its aspects in legitimizing the concept of positive regulation. Newmeyer, in discussing the Marshall Court, claims it laid the "legal foundation" of the "promotional, non-regulatory state of post-Civil War America."⁴⁹ Alfred H. Kelly and Winfred A. Harbison see the case as "socially beneficial, since there was as yet practically no federal regulation of interstate commerce" and the

⁴⁵J. Willard Hurst, *Law and the Conditions of Freedom in the United States* (Madison: University of Wisconsin Press, 1956), p. 15.

⁴⁶Baxter, p. 192.

⁴⁷Miller, pp. 35-44.

⁴⁸R. Kent Newmeyer, *The Supreme Court Under Marshall and Taney* (New York: Thomas Y. Crowell Co., 1968), p. 47.

⁴⁹*Ibid.*, p. 81.

case resulted in some state regulation.⁵⁰ I would disagree with this point, claiming that, in fact, Taney's implied comity doctrine introduced the concept of positive regulation which has been responsible for the continuing difficulty in controlling corporate behavior. Thus, corporate behavior is implicitly sanctioned, while regulation has become, at best, a rear-guard attempt to follow the economy.

⁵⁰ Alfred H. Kelly and Winfred A. Harbison, *The American Constitution: Its Origins and Development* (New York: Norton, 1963), p. 348.

FUSION, CONFUSION, DEFEAT, AND
DISFRANCHISEMENT:
THE "FADEOUT OF POPULISM" IN ALABAMA

by

Karl Louis Rodabaugh

The inauguration of the arch-conservative Democrat William C. Oates as Governor of Alabama in late 1894 did not extinguish the political fires that had been burning in the state since the entry of the Farmers' Alliance into politics in 1890. Soon after taking office, Oates announced that he would not seek another term and declared his candidacy for the Senate seat of James L. Pugh, whose term was to expire in 1896.¹ Oates's actions spurred Joseph F. Johnston, beginning early in 1895, vigorously to pursue the 1896 Democratic gubernatorial nomination. While Johnston canvassed the state for support as a free silver Democrat, the dissident groups led by Reuben F. Kolb in recent elections, now united as the Peoples' Party, sought fusion with the Republicans. Before Alabama politics, already complex, was muddled by national fusion of Democrats and Populists behind William Jennings Bryan and free silver, Populists in the state made a final major attempt to defeat the Democracy. The attempt failed, but briefly during the campaign Populists and Republicans cooperated more than ever before and made an insipid bid for Negro votes. The Democrats, united under Johnston's leadership, stole much of the Populists' rhetoric, reverted to their traditional strong stand on white supremacy, and finally emerged as the only party of any consequence in the state. A few years later they disfranchised virtually all blacks and many poor whites.

Although it was not an election year, 1895 was critical in Alabama politics. Populists held one-third of the seats in both houses of the state legislature, and of nine Alabama Congressmen two were Populists and two were Republicans who had been nominated on fusion tickets. Kolb, who only recently had abandoned his pose as the legitimate governor of the state and had announced that he never again would seek public office, still was publicizing Democratic frauds committed in

¹Birmingham *State Herald*, November 10, 1895.

the last two gubernatorial elections. The economic situation remained depressed, as it had throughout the nineties, with an increasing number of business failures making poignant the pall of labor strife hovering over the mineral district. While farm prices were less than half those of the mid-eighties, President Cleveland's conservative financial policies offered no relief to the South. As a result, both of Alabama's United States Senators, Democrats James L. Pugh and John T. Morgan, and three of the state's five Democratic Congressmen, opposed Cleveland's financial policies. It was inevitable that the political philosophy of the Alabama Democracy would be adjusted to fit the times, for "only drastic changes in policy would prevent numerous disillusioned voters from succumbing to Populist appeals of currency and banking reform, . . . guarantees of better working conditions, and fair election practices."²

The free silver issue had not been important in Alabama in 1892 and 1894, but the question no longer could be ignored after 1895. During that year, free silver advocates held conferences in Memphis, Tennessee, and Washington, D. C., and set in motion a drive to capture the Democratic National Convention in 1896.³ While travelling across the nation in 1895 popularizing the free silver issue, Nebraska Congressman W. J. Bryan stopped in Mobile to debate the currency issue with Alabama Congressman Richard H. Clarke, a sound-money Democrat.⁴ Milford W. Howard, Populist Congressman from the Alabama seventh district, introduced free silver bills in Congress and declared that the poor farmers suffered the worst effects of Cleveland's "evil" financial policies. Howard, moreover, refuted the theory that overproduction was the source of economic distress and blamed the hard times on the gold standard and on the manipulation of the nation's money supply by a small group of men.⁵ Aware of the growing appeal of free

²Allen J. Going, "Critical Months in Alabama Politics, 1895-1896," *Alabama Review*, V (October, 1952), 272-273; hereafter cited as "Critical Months."

³C. Vann Woodward, *Origins of the New South, 1877-1913* (Baton Rouge, La., 1951), 280-281.

⁴John Bunyan Clark, *Populism in Alabama* (Auburn, Ala., 1927), 165.

⁵David Alan Harris, "The Political Career of Milford W. Howard, Populist Congressman From Alabama" (unpublished M.A. thesis, Alabama Polytechnic Institute, 1957), 75-78, hereafter cited as "Howard." Howard offered a resolution for the impeachment of Cleveland, but the House refused to consider it.

silver to the voters, Henry D. Clayton, a prominent Alabama Democrat, advised his party to endorse the issue in order to prevent the Populists from making it the catalyst in a formula for victory.⁶

During the spring of 1895 free silver Democrats, with Johnston as their champion, were rapidly increasing their numbers in the state. Johnston, who saw free silver as the binding force needed to reunite the Democratic party, formed free silver groups among Democrats and spoke throughout Alabama in favor of currency reforms. He admitted that prevailing conditions were bad, but sought changes through the medium of a united Democratic party under his guidance. While calling attention to the low prices of land, labor, and agricultural and industrial products, Johnston declared that free silver would act as a boon to farmers, laborers, and debtors by raising prices and forcing down the comparative value of debts. The creditor class, Johnston said, opposed any increases in the currency because they wanted to preserve the low prices of land, labor, and farm products and the relatively high value of money. Johnston, seeking to draw into his movement those Democrats who had supported Kolb in recent elections, organized a conference of all Democrats, regardless of past political associations, who favored free silver and an "honest" Democratic party. When the conference met in September, Senator Pugh attended, and Senator Morgan sent the assembly a letter reiterating his support of free silver. The Populists, however, failed to take Johnston's bait and refused to participate.⁷

Johnston's attempt to wed the Democracy to free silver was not received favorably by all elements of the party. If the free silver faction captured the party machinery, warned the *Birmingham Age-Herald*, a split would result that would produce a state of affairs in Alabama similar to Reconstruction. The *Age-Herald* labeled free silver a fraudulent scheme perpetrated by disappointed office-seekers to create an issue that they could

⁶Joseph Rogers Hollingsworth, *The Whirligig of Politics: The Democracy of Cleveland and Bryan* (Chicago, 1963), 56.

⁷*Birmingham Age-Herald*, September 12, 11, 10, 1895; Lorena Dale Parrott, "The Public Career of Joseph Forney Johnston" (unpublished M. A. thesis, University of Alabama, 1936), 15-17, hereafter cited as "Johnston"; Going, "Critical Months," 274.

use to gain power and to herd loyal Democrats into the ranks of the People's Party.⁸ In addition to the *Age-Herald* Johnston's growing free silver faction was firmly opposed by Governor Oates, Congressman Clarke, the *Montgomery Advertiser*, and the *Mobile Register*.⁹

Johnston announced his candidacy, November 9, 1895, as a free silver Democrat, and promised to produce harmony in the party by opening the primaries to those Democrats who had voted for Kolb in 1892 and 1894. In addition, he called for better roads, better schools, a national candidate pledged to free silver, and the "redemption" of those white counties that had voted against the Democracy in the last national election.¹⁰ Although few Democrats realized it at the time, Johnston was leading the state party away from the working alliance with eastern conservative Democrats, who were led by Cleveland, and toward an understanding with dissatisfied agrarians and laborers in Alabama. To insure press support, Johnston purchased the *Birmingham Age-Herald*, changed its name to the *State Herald*, and made it the organ of the free silver Democrats. The *State Herald* then endorsed Johnston and attacked Oates, Clarke, the *Advertiser*, and the *Register* for endangering white supremacy by making likely a party split due to their opposition to the determination of the "majority" of Democrats to support free silver.¹¹

By January, 1896, Johnston's free silver faction controlled the party, but outmaneuvered sound-money Democrats were yet able to force an intra-party battle for the nomination. The pro-Johnston Democratic State Executive Committee opened the primaries to all voters pledging to support the party's candidates in the August state elections, thereby clearing the way for many former Kolb supporters to back Johnston in the primaries.¹² Although the committee's action assured Johnston

⁸Birmingham *Age-Herald*, September 6, 12, 1895.

⁹Going, "Critical Months," 273; *Montgomery Advertiser*, February 27, 1896; *Mobile Register*, March 29, 1896.

¹⁰Parrott, "Johnston," 18-19, 28.

¹¹Going, "Critical Months," 272-274; *Birmingham State Herald*, November 10, 1895.

¹²*Montgomery Advertiser*, January 22, 1896. As early as January, 1894, Johnston felt that he would receive support from Kolb's followers in any Democratic nomination race. See: Johnston to McKee, January 19, 1894, Robert McKee Papers (Alabama Department of Archives and History, Montgomery).

of the nomination, sound-money Democrats, backed by the *Advertiser* and the *Register*, put up Richard H. Clarke for governor. The *Advertiser* called Johnston a weak candidate without any issues upon which to stand, but simultaneously criticized him for the very issues he raised. Johnston's policies, warned the *Advertiser*, would allow groups critical of Cleveland's administration and in favor of free silver to enter and to dominate the Democratic party.¹³ The *Register* accused Johnston of being in league with Republicans, Populists, and "Kolbites," and claimed that his nomination would mean a free silver platform for the party, a free silver senator for the state, a depreciated currency, and an end to any hope of prosperity.¹⁴ In spite of the attacks of the *Advertiser* and the *Register*, and an eleventh hour effort by Clarke's supporters to create the impression that Kolb favored Clarke, Johnston carried the former Kolb counties by large margins in the primaries and went into the state convention with three times as many delegates as his opponent. In April the convention nominated Johnston on the first ballot and adopted a platform that advocated free silver and committed the party to serve the interests of the common people of Alabama. Johnston promised to maintain honesty in the state elections.¹⁵

While Johnston was leading the Democratic party into the free silver movement, Kolb tried to accomplish a similar political feat with regard to all whites in Alabama, but he met with different results. With the aid of Daniel S. Troy, an influential free silver Democrat, Kolb organized a conference of all whites favoring free silver and honest elections. At the conference—to be held in November, 1895—Troy hoped to unite the Populists and the Democrats behind the free silver issue; and many Democrats were willing to follow his lead. But Troy died before the conference met, and without his leadership the meeting developed into a Populist gathering. The Populists, influenced by the assumption that Johnston's free silver faction would gain control of the Democracy, concluded that uni-

¹³Montgomery *Advertiser*, February 27, 1896.

¹⁴Mobile *Register*, March 29, April 8, 1896. The *Register*, March 5, 1896, said that farmers would suffer if free silver were adopted, and cited the example of Mexico, a silver standard nation, as proof that prices remained higher under the gold standard.

¹⁵Parrott, "Johnston," pp. 29, 32, 25; Harris, "Howard," p. 85.

fication with the Democrats would be impossible and turned to discussions of cooperation with the Republicans and of the fair elections issue. Before adjourning, the conference appointed Kolb, Albert T. Goodwyn, and P. G. Bowman to a committee that was empowered to seek Populist-Republican fusion.¹⁶

Kolb's conversion to a position in favor of fusion had been only a recent development. Earlier the *Wetumpka Reform Advocate*, edited by Goodwyn's son, had criticized him sharply for opposing fusion.¹⁷ Reversing his position at the Populist free silver conference, he announced that he would support the Populists even if, as a result of fusion, they ran a sound-money Republican.¹⁸

Opposition to fusion by many party members opened a wide breach in the Populist ranks. Congressman Howard, S. M. Adams, A. S. Hobson, and other leading Populists argued that Republican interest in a national victory would prevent any agreement on the money question, while Republican indifference to fusion would cause the GOP to demand a much higher price for cooperation than in the past.¹⁹ Hobson predicted that the People's Party would be ripped apart if Republicans received places on the state ticket as part of a bargain.²⁰ Many other Populists threatened to support Johnston if their party fused openly with the Republicans.²¹

The Republicans, suffering from internal difficulties produced by a national party battle for the 1896 presidential nomination, failed to jump at the chance for fusion. Factions favoring either William McKinley or Thomas B. Reed were jockeying for position in a fight to control the Alabama delegation to the 1896 Republican National Convention. The group led by Robert A. Moseley, chairman of the GOP state executive committee, supported Reed and responded favorably to Populist proposals

¹⁶Birmingham *Age-Herald*, September 6, 1895; Birmingham *State Herald*, November 10, 13, 1895; Going, "Critical Months," pp. 274-275.

¹⁷William Warren Rogers, *The One-Gallused Rebellion: Agrarianism in Alabama, 1865-1896* (Baton Rouge, La., 1970), 297, 300.

¹⁸Birmingham *State Herald*, November 10, 1895.

¹⁹*Ibid.*, April 23, 1896.

²⁰Montgomery *Advertiser*, April 2, 1896.

²¹Birmingham *State Herald*, December 8, 1895.

for fusion on the condition that Republicans would receive places on any fusion state ticket. But Moseley's faction had to contend with a group led by William Vaughn, who sought to replace Moseley as the GOP state boss. The Vaughn Republicans favored McKinley, opposed fusion, and demanded a separate GOP state ticket. Although William Stevens, the leader of most of the Negro Republicans in the state, supported Vaughn, Stevens' black Republican followers split their support between the two groups. Before the Spring of 1896 no faction could gain a balance of power.²²

In February, 1896, Kolb and Moseley, meeting in Washington, D. C., to discuss fusion, reached a tentative agreement that was contingent upon official acceptance by the Populist and Republican state conventions. The agreement stipulated that Albert T. Goodwyn would head a fusion state ticket including Republicans, and that in the event of a victory in the national election Populists and Republicans would divide the state's electoral votes. At a meeting held in Birmingham later in the same month, both the Populists and the Moseley Republicans endorsed the fusion agreement. The Vaughn Republicans, however, failed to attend.²³

On April 28 the Populists gathered in Montgomery for their state convention. All delegates were white.²⁴ With the Kolb-Goodwyn leadership spurring the convention to action, fusion with the Republicans was accepted quickly by a vote of 262 to 172. Because S. M. Adams had resigned previously as chairman of the Populist State Executive Committee to protest the inevitability of fusion, George B. Deans of Shelby County was chosen as his successor.²⁵ The official acceptance of fusion prompted Philander Morgan, Populist brother of Senator Morgan, to return to the Democratic party.²⁶ As the choice of the anti-fusion Populists, the name of Gratton B. Crowe of Bibb County was placed in nomination by Congressman Howard,

²²Harris, "Howard," 84; Going, "Critical Months," 276, 276n.

²³Harris, "Howard," 83-84. Thomas B. Reed reportedly advised his supporters in Alabama to accept fusion with the Populists.

²⁴Mobile Register, April 29, 1896.

²⁵Harris, "Howard," 86, 83.

²⁶Going, "Critical Months," 277.

but upon Crowe's request his name was withdrawn.²⁷ Then Goodwyn, whose candidacy was officially less than one week old, was nominated without further opposition. Two vacancies were left on the state ticket to await action by the Republicans, who were expected to accept fusion.²⁸ The Populist platform, which bore a close resemblance to the 1894 platform of Kolb's Jeffersonian Democrats, proclaimed that the fair elections issue was the primary concern of the party. Demands were made for the free coinage of silver and for a "revenue" tariff to protect farmers, miners, and other workers from cheap foreign labor and products.²⁹

To make the fusion agreement a political reality and to preserve the Republican party, Moseley's faction was forced to compromise with the Vaughn Republicans. This was made necessary by Vaughn's success in attracting the support of the majority of white Republicans.³⁰ Both factions held state conventions at the same time and in the same city as the Populists, but the nature and course of the Moseley convention made clear Vaughn's ascendancy as the new power in the party. During an all night conference between the two factions Moseley agreed to withdraw from the race for chairman of the state executive committee. In a unified convention session held the next day, the Republicans chose Vaughn to succeed Moseley as state boss, divided the delegates to the national convention between the Moseley and Vaughn factions, and nominated two free silver Republicans to run on the fusion state ticket with Goodwyn and the other Populist nominees.³¹

When the candidates and the party platforms finally were known, the *Montgomery Advertiser* opened the Democratic campaign by asking, "what reason is there for the continued existence of the Populist Party?"³² Since the Democratic party had "gone over to the Populist platform," the *Advertiser* reasoned,

²⁷Louise Goodwyn Mustin, "Albert Taylor Goodwyn" (unpublished M. A. thesis, University of Alabama, 1936), 63-64, hereafter cited as "Goodwyn."

²⁸*Mobile Register*, April 29, 1896.

²⁹*Montgomery Advertiser*, April 29, 1896.

³⁰Going, "Critical Months," 276n.

³¹*Ibid.*, 277; Harris, "Howard," 85-86.

³²*Montgomery Advertiser*, April 24, 1896.

the Populists should "return the compliment by coming over to the Democratic nominees [...]"³³ Ardent Populists might not have agreed with the *Advertiser's* line of reasoning, but they would have been forced to admit that the Democratic party, indeed, had "gone over to the Populist platform." The Democrats, unsure of their new, untested platform, failed to emphasize issues, such as free silver, that they had adopted in common with the Populists, and preferred to campaign on old, familiar issues.

While attacking Populist-Republican fusion, the Democrats raised the question of white supremacy. The fusionists, called the "Repopnig" party by the *Mobile Register*, were accused of plotting to use the Negro—"the protege and tool of the white Republicans and the aforetime bete noir [sic] of the Populists of the Kolb stripe"—to bring Radical Republican rule to Alabama.³⁴ White men, declared the *Advertiser*, "will hesitate long before following Goodwyn and Co. into the Radical Camp."³⁵ Johnston, who sought to make political discussions center on the past records of the Democratic and Republican parties, raised traditional Reconstruction issues, such as the "excessive" taxes levied by Radical Republican governments, and reminded the voters of the Democracy's role in the redemption movement.³⁶ The Democratic press and pro-Johnston speakers, including former governor Thomas G. Jones, labeled Goodwyn a "nigger lover" and warned that the state would experience a "return" to Negro rule, under which murderers would be free from prosecution, if Goodwyn were elected.³⁷

In response to the Democratic charges the Populists minimized the nature of fusion and portrayed the Democracy as a false friend of the white race. Fusion with Republicans was nothing more than cooperation to defeat the Democrats, the Populists explained; and after the Democrats were deposed, no Republicans would be permitted to take part in running the

³³*Ibid.*

³⁴*Mobile Register*, May 28, April 30, 1896.

³⁵*Montgomery Advertiser*, April 26, 1896.

³⁶Parrott, "Johnston," 35-36.

³⁷*Montgomery Advertiser*, August 1, July 29, 1896.

government.³⁸ Democratic attacks on fusion, claimed the Populists, were meant to divert attention away from Democratic dependency on Negro votes.³⁹ While castigating the Democrats for "currying favor" among blacks, Reuben Kolb's *Birmingham People's Tribune* praised the Populists for preventing Negroes from infiltrating their ranks.⁴⁰ In essence, the Populists asked the voters, could a party that courted blacks and used fraudulent Negro votes to remain in power claim to be the white man's party?

But the Populists, although they lacked unity on the question of Negro rights, hoped that fusion would attract as many Negro votes as possible.⁴¹ Goodwyn, moreover, advocated allowing all men, black and white, to vote without imposing on them any suffrage requirements. His suggestion, which the Democratic press called a blatant example of demagoguery, prompted the *Mobile Register* to report that blacks, who were purportedly interested only in racial solidarity, lacked the intelligence to vote. At the same time, the *Register* initiated a campaign that called for the creation of educational qualifications for voting by means of a constitutional convention.⁴²

Populist-Republican fusion, from which Goodwyn's forces expected to reap as many as 160,000 votes, proved to be a mistake. Besides creating dissension in the Populist ranks and exposing the party to harmful attacks, fusion may have caused many Populists to support Johnston. One scholar believes that Johnston probably gained more strength as a result of fusion than did the Populists.⁴³ On the local level fusion often was not effected, and any positive effects it might have produced on the state level were ended by Republican treachery. After McKinley was nominated as the GOP candidate for President in July, the Vaughn Republicans, eager to end the unnatural union with "silver loons," broke the fusion agreement and at-

³⁸Carrollton *Alabama Alliance News*, May 12, 1895.

³⁹Going, "Critical Months," 279.

⁴⁰*Birmingham People's Tribune*, May 28, 1896, quoted in Going, "Critical Months," 276n.

⁴¹Parrott, "Johnston," 35.

⁴²*Mobile Register*, May 8, 9, 1896.

⁴³Going, "Critical Months," p. 280.

tempted to run a straight Republican ticket."

National political developments created additional problems for the Alabama Populists. National party leaders, who thought that both the Republican and Democratic parties would straddle the currency issue, scheduled the Populist National Convention after the other two conventions, in the expectation that the late date would enable the convention to serve as a haven for bolting free silver Republicans and Democrats. But the Republicans adopted a strong gold plank and the Democrats responded by endorsing free silver and by nominating William Jennings Bryan for President. This meant that the Populists either could support Bryan by neglecting to select a national candidate, by fusing with the Democrats, or by nominating Bryan as the Populist candidate, or they could chose their own presidential candidate.⁴⁵

Alabama Populists failed to agree on the proper solution to the dilemma. When the Alabama delegation to the national convention caucused, Kolb, the chairman of the delegation, announced that he would support Bryan and fusion, while Congressman Howard, G. B. Deans, and J. C. Manning declared that they would oppose both.⁴⁶ As did many other Alabama Populists, Howard feared that cooperation with the Democrats on the national level would clear the way for the absorption of the state party by the Democracy. But he also feared that if the Populists lost their identity in Alabama then he would not be renominated for a second term in congress. Therefore, when it seemed likely that Bryan would be nominated by the Populists, Howard devised a scheme for preserving the Populists' identity.⁴⁷

⁴⁵Thomas Kermit Hearn, "The Populist Movement in Marshall County" (unpublished M. A. thesis, University of Alabama, 1935), 102-106; Going, "Critical Months," 280, 277.

⁴⁶John D. Hicks, *The Populist Revolt: A History of the Farmers' Alliance and the People's Party* (Minneapolis, Minn.: University of Minnesota Press, 1931), 349-352.

⁴⁸Harris, "Howard," 90-91, 90n.; Robert Franklin Durden, *The Climax of Populism: The Election of 1896* (Lexington, Ky.: The University of Kentucky Press, 1965), 25.

⁴⁷Harris, "Howard," 92, 92n.

After getting the convention to reverse the order of nominations, Howard put before the gathering the name of Tom Watson of Georgia as a vice-presidential candidate.⁴⁸ Watson subsequently was accorded second place on the Populist ticket. Although the Populists nominated Bryan and effected semi-fusion with the Democrats, Watson's nomination provided them with a national candidate, guaranteed the existence of a Populist ticket, and helped to preserve the identity of the party.

The Populists' choice of a vice-presidential candidate neither ended disagreements among Alabama Populists nor explained to the state's confused voters the meaning of Democratic-Populist semi-fusion on the national level. Kolb still favored the Democratic national ticket, including conservative Democrat Arthur Sewall of Maine, the vice-presidential candidate. Although he kept secret his position until the outcome of the state elections was known, the Democratic press reminded the voters that Kolb had supported the Bryan-Sewall ticket at the Populist National Convention.⁴⁹ Undoubtedly, the national cooperation of Populists and Democrats on a free silver platform, and Kolb's support of the Democratic national ticket, caused some former Kolb supporters to vote for Johnston.⁵⁰ Finally, in the last few weeks of the Goodwyn-Johnston race, the Populists seemed more to be running a three-ringed circus than a political campaign, with Populists and Republicans in Alabama still officially bound together by a fusion agreement, with Populists and Democrats cooperating on the national level, and with Goodwyn, an ardent admirer of Bryan, receiving support from anti-fusion Populists and from Republicans.

To the Populists the 1896 state election was "the final struggle between the white masses of the state and the plutocratic oligarchy."⁵¹ As a part of that struggle, such Populist notables as James "Whiskers" Weaver, former Populist presidential candidate, and James "Cyclone" Davis, Texas Populist orator, campaigned in Alabama for the state ticket.⁵² The

⁴⁸*Ibid.*, 92-93.

⁴⁹Montgomery *Advertiser*, August 1, 1896.

⁵⁰Going, "Critical Months," 277-278.

⁵¹Wedowee *Randolph Toiler*, July 10, 1896, quoted in Going, "Critical Months," 280.

⁵²Mustin, "Goodwyn," 66.

People's Tribune proclaimed that the only issues were Democratic election frauds and the money question.⁵³ Goodwyn faithfully served up the stale corruption charges to the voters, but, although he believed that free silver was needed to help the farmers, he did not emphasize the currency issue.⁵⁴ On the eve of the election, Goodwyn predicted victory if the count was honest, whereupon the Democrats ridiculed him for even suggesting that fraud was possible.⁵⁵

In 1896 the Democrats, indeed, did not need to resort to fraud to win. Johnston gained a landslide victory by amassing 128,551 votes to Goodwyn's 89,290.⁵⁶ For the first time since Kolb had bolted the party in 1892, the Democrats received a majority from the white counties, and only one congressional district, that of Populist Congressman Howard, gave Goodwyn a margin over Johnston.⁵⁷ In addition, the next state legislature would be overwhelmingly Democratic.⁵⁸ Goodwyn and many of his supporters believed that the Democrats, as in 1892 and probably in 1894, had stolen the election, and Goodwyn was urged to contest the results.⁵⁹ But it was clear that the Democrats, by dissolving the working alliance with eastern conservatives and by adopting much of the Populists' rhetoric, had absorbed a large portion of the recent protest vote and were safely in control of Alabama politics.⁶⁰

After the state elections, blurred party lines were almost erased as Populists and Democrats forgot previous party divisions while grouping for the national elections according to their views on the currency issue. Kolb, now working feverishly to gain re-entry into Democratic circles, revealed his support of the Bryan-Sewall ticket for which he was praised by

⁵³Montgomery *Advertiser*, August 1, 1896.

⁵⁴Mobile *Register*, May 8, 1896; Mustin, "Goodwyn," 34-35.

⁵⁵Montgomery *Advertiser*, August 1, 1896.

⁵⁶Manuscript Election Returns, Alabama Gubernatorial Election, 1896, Files of the Secretary of State (Alabama Department of Archives and History, Montgomery).

⁵⁷*Ibid.*

⁵⁸Clark, *Populism in Alabama*, 170.

⁵⁹Mustin, "Goodwyn," 70-71; Montgomery *Advertiser*, August 6, 1896.

⁶⁰Going, "Critical Months," 281.

free silver Democrats and condemned by anti-fusion Populists.⁶¹ He opposed Congressman Howard's bid for re-election, and even opposed Goodwyn's recently announced candidacy for Congress.⁶² While campaigning for Bryan and Sewall, Kolb declared that Watson's nomination might hurt Bryan's chances by splitting the free silver vote, and urged the voters to ignore Watson.⁶³ In response Watson, speaking in Gadsden in support of Howard, said that Kolb's opposition was of no significance.⁶⁴ The *Montgomery Advertiser*, which was backing the gold Democrats' national ticket (headed by John M. Palmer of Illinois and Simon B. Buckner of Kentucky) in an attempt to decrease Bryan's vote, accused Kolb of plotting to commit election frauds to beat McKinley.⁶⁵ The Populists labeled Kolb a political traitor and read him out of the party.⁶⁶ He soon re-joined the Democracy.⁶⁷

Although the party remained intact until 1900, the Goodwyn-Johnston campaign was the last of any consequence for the Alabama Populists. Even prior to the final defeat of the Populists factions of the Democratic party as in the past were pitted against one another in the most important political battles in the state. In 1898, however, the anti-fusion Populists, after announcing that they would not join with the Republicans and declining the offer of fusion tendered by the Democrats, nominated State Senator G. B. Deans to lead a futile attempt to defeat Johnston.⁶⁸ Previously, many former Populists had entered the ranks of the Republicans or of the Democrats, so the Populists' strength did not approach the level of 1896.⁶⁹

⁶¹ *Montgomery Advertiser*, October 20, 1896; Going, "Critical Months," 278.

⁶² *Montgomery Advertiser*, October 21, 1896.

⁶³ Rogers, *One-Gallused Rebellion*, 323-324.

⁶⁴ *Montgomery Advertiser*, October 22, 23, 1896.

⁶⁵ *Ibid.*, October 4, 21, 1896.

⁶⁶ *Ibid.*, October 15, 1896.

⁶⁷ In later years, Kolb was an unsuccessful Democratic candidate for president of the Alabama Railroad Commission. He was elected Commissioner of Agriculture in 1910. Four years later, he failed in a bid for the Democratic gubernatorial nomination. See: Charles Grayson Summersell, "A Life of Reuben F. Kolb" (unpublished M. A. thesis, University of Alabama, 1930), 127-131, hereafter cited as "Kolb."

⁶⁸ Harris, "Howard," 123; Summersell, "Kolb," 124; Parrott, "Johnston," 59.

⁶⁹ Going, "Critical Months," 278; Sheldon Hackney, *Populism to Progressivism in Alabama* (Princeton, 1969), 111-116, 118, 121.

Election news generated little concern in comparison to journalistic accounts of the Spanish-American War, for the economic situation was improving and the Democrats had stolen practically all of the Populists' issues. But the Populists did attract some attention when they declared that if the Negroes failed to support them they would permit the Democrats to disfranchise all members of the race.⁷⁰ Nevertheless, Deans carried only ten counties mainly near Shelby, his home county, and in pockets of Populist resistance, receiving only a little over thirty percent of the vote.⁷¹ By 1900 the Populists had difficulty even finding a gubernatorial candidate willing to run against William J. Samford, the Democratic standard-bearer. After S. M. Adams declined the nomination, Gratton B. Crowe consented to take his place.⁷² Crowe carried only two counties, St. Clair and Shelby, and polled eleven percent of the vote, considerably less than the Republican candidate, John A. Steele.⁷³

When it was apparent that political dissenters were no longer to be feared in Alabama, conservative Democrats in order to create a more select electorate sponsored a movement for a constitutional convention which soon disfranchised virtually all Negro voters and many poor whites. Their timing was right. The Spanish-American War had driven the sections of the nation closer together and had left the country in control of many millions of dark-skinned subjects most of whom were not to be accorded the full rights of American citizenship. As it assumed the "white man's burden," the nation as a whole moved closer to the racial mores of the South. By 1898 the United States Supreme Court had acquiesced in segregation in common carriers by approving the doctrine of "separate but equal" on the grounds that the law cannot end racial instincts and had consented to the Mississippi plan for disfranchising Negroes. As blacks migrated North thereby increasing the

⁷⁰Houston Cole, "History of Populism in Tuscaloosa County" (unpublished M. A. thesis, University of Alabama, 1927), 97.

⁷¹Manuscript Election Returns, Alabama Gubernatorial Election, 1898, Files of the Secretary of State.

⁷²Populist Nomination Certificates, June 4, 23, July 4, 1900, Files of the Secretary of State, Notifications of Nominations, June 20, July, 1900, Files of the Secretary of State, *Carrollton Alabama Alliance News*, July 17, 1900.

⁷³Manuscript Election Returns, Alabama Gubernatorial Election 1900, Files of the Secretary of State.

associations of northerners with Negroes even many northern "liberals" were beginning to understand the South's reasoning behind the growing movement for Negro disfranchisement.⁷⁴

Early in his first term Governor Johnston supported the movement for a constitutional convention that was being led by arch-conservative William C. Oates, the previous governor. Johnston favored a convention as a method for acquiring special municipal taxation privileges for Birmingham and gave Oates' movement the added impetus needed to make a constitutional convention a party issue in 1898. Later that same year the legislature passed an enabling act providing for a referendum on the convention issue. Representatives from the white counties raised such loud objections, due to the fear that a convention while disfranchising blacks might also disfranchise poor whites, that Johnston reversed his position and opposed a convention. The Governor, who hoped to unseat Senator Morgan in 1900, did not wish to alienate his strongest supporters, the people of the white counties. In addition, a recent constitutional amendment had accorded Birmingham the special municipal taxation privileges that Johnston favored. Therefore, the Governor called a special legislative session to consider repealing the 1898 enabling act and passing a white primary election law as an alternative to a disfranchising convention.⁷⁵

Johnston's actions produced a split in the Democratic party along the old fault-line separating free silver and sound-money Democrats. Johnston, with the aid of all Populists in the legislature, managed to push his legislative package through the special session. But the conservative Democrats responded by gaining control of the Democratic State Executive Committee, which then condemned Johnston's actions and called the 1899 Democratic State Convention.⁷⁶ The party gathering made a

⁷⁴Malcolm Cook McMillan, "A History of the Alabama Constitution of 1901" (unpublished M. A. thesis, University of Alabama, 1940), 51-54; hereafter cited as "Alabama Constitution of 1901." Rayford Whittingham Logan, *The Negro in American Life and Thought: The Nadir, 1877-1901* (New York, 1954), 168; C. Vann Woodward, *The Strange Career of Jim Crow* (New York, 1966), 70-74, 81-82.

⁷⁵McMillan, "Alabama Constitution of 1901," 60-64, 71-82; Malcolm Cook McMillan, *Constitutional Development in Alabama, 1798-1901: A Study in Politics, the Negro, and Sectionalism* (Chapel Hill, N. C., 1955), 250-251.

⁷⁶McMillan, "Alabama Constitution of 1901," 71-82.

constitutional convention a party issue by pledging the Democracy to seek "a constitutional convention for so regulating the right to vote as to perpetuate the rule of the white man in Alabama."⁷⁷

Large segments of all political parties—Democrats, Republicans, and Populists—were willing to see the blacks stripped of all voting rights. In 1900, the *Brewster News* stated that "honest" Democrats and "honest" Negroes were convinced that blacks should be disfranchised.⁷⁸ While most white Republicans were not opposed to removing blacks from politics, Lily-White Republicans actually favored Negro disfranchisement and declared that it would produce a two-party system composed of respectable whites.⁷⁹ Although the Populists consistently opposed calling a constitutional convention, because they feared that any disfranchising scheme might reduce the number of poor white voters, they entertained views similar to those of the Lily-White Republicans. E. R. Calhoun, Populist editor of the *Carrollton Alabama Alliance News*, wrote:

When the Democratic party carries out its policy of eliminating the illiterate vote, as there is every reason to believe it will do before the next state election, then because of the fact that this measure would take nine-tenths of the negro voters out of politics, new hope will grow and dessiminate [*sic*] itself in the ranks of the populists, and a battle royal will be fought. We all know that such a measure would likewise disfranchise many worthy white men, and true populists may be depended upon to resist it to the last, because it is wrong; but when it is done . . . no reasonable man familiar with conditions as they exist in Pickens county will contend that it will not be advantageous to the populist party.⁸⁰

All seemed in order for the Democrats to call a disfranchising convention, but they proceeded with caution. The 1900

⁷⁷Montgomery *Advertiser*, March 30, 1899, quoted in McMillan, "Alabama Constitution of 1901," 73.

⁷⁸*Brewster News*, cited in *Carrollton Alabama Alliance News*, August 14, 1900.

⁷⁹Hackney, *Populism to Progressivism*, 176, 203, 228; McMillan, "Alabama Constitution of 1901," 91-93.

⁸⁰*Carrollton Alabama Alliance News*, August 7, 1900.

Democratic State Convention passed a resolution favoring a constitutional convention. Yet, in deference to the wish of gubernatorial candidate-elect William J. Samford, who feared that such action would endanger party harmony, the convention refused to make the resolution part of the platform.⁸¹

After Samford's election, the legislature passed a second enabling act that provided for a referendum to be held in April, 1901.⁸² In March, a Democratic convention endorsed the enabling act, pledged the party to achieve disfranchisement of the Negro, who was deemed to be unfit to vote, and promised "not to deprive any white man of the right to vote except for conviction of infamous crime."⁸³ As the date set for the referendum approached, the Democracy organized a propaganda campaign designed chiefly to allay the fears of the poor whites that they would be disfranchised. Democratic speakers criss-crossed the state emphasizing the slogan "white supremacy, suffrage reforms and purity in elections."⁸⁴ Although ex-governor Johnston refused to follow his party and spoke against the convention, the question carried easily by a vote of 70,305 to 45,505. Twenty-five white counties voted against, while all black-belt counties voted overwhelmingly in favor of, the convention.⁸⁵

When the constitutional convention convened in Montgomery in the Summer of 1901, the delegates—all of whom were white—had to consider many problems relative to the state government, but their chief concern was the suffrage question.⁸⁶ Here they faced a troublesome task: To disfranchise the Negroes

⁸¹McMillan, "Alabama Constitution of 1901," 84-86.

⁸²*Ibid.*, 87.

⁸³Minutes of the Democratic State Convention, March 19, 1901, Alabama Department of Archives and History, Montgomery.

⁸⁴Minutes of the Democratic State Executive Committee, April 3, 1901, Alabama Department of Archives and History, Montgomery.

⁸⁵Thomas M. Owen, ed., *Alabama Official and Statistical Register, 1903* (Montgomery, Ala., 1903), 1141. For this analysis, "white counties" were defined as those counties with a population over fifty percent white, while "blackbelt counties" were defined as those counties with a population over fifty percent black.

⁸⁶Other problems before the convention were the amending process, the power of the legislature in relation to local legislation, the taxation system, the judicial system, the school system, and the regulation of business. See: McMillan, "Alabama Constitution of 1901," 16, 18, 20-26, 145-170.

without at the same time arousing the poor whites to the point that they would reject the new constitution. The delegates were aware that the federal Constitution ruled out disfranchising blacks "on account of race, color, or previous condition of servitude," but even this was proposed (and defeated) with the understanding that the state would lose a few congressmen.⁸⁷ To many delegates and observers it appeared impossible to disfranchise the Negroes without also disfranchising many poor whites. In agreement were the *Montgomery Advertiser* and *Mobile Register*, both of which suggested breaking the Democratic promise not to disfranchise any whites.⁸⁸

As the delegates engaged in lengthy debates on the suffrage question, they showed little concern for justice to the Negroes. The convention ignored a plea for justice to his race that was made by Booker T. Washington. In fact, the majority of the delegates blamed the blacks for the corruption that had marred recent elections.⁸⁹ Moreover, Democrats, Republicans, and Populists favored Negro disfranchisement.⁹⁰ As a result, the various proposals for disfranchisement were discussed in the light of their possible effects on the poor whites, not the blacks.

Finally, a suffrage plan was proposed by the Democrats and adopted by the convention that included property qualifications for voting, a grandfather clause, a poll tax, an understanding of the constitutional clause that satisfied demands for educational qualifications, and a complex registration procedure. Populists and Republicans, however, opposed the plan because the registration procedure would be controlled by boards of registration appointed by the dominant party.⁹¹ One Republican delegate said, "when [the] partisan board of registration is appointed by a partisan party, the common people of Alabama had just as well say, 'Oh, King, where is thy crown,' for it will be equal to a monarchical government and we will be sub-

⁸⁷*Ibid.*, 124-125.

⁸⁸*Montgomery Advertiser*, June 21, 1901; *Mobile Register*, June 23, 1901.

⁸⁹McMillan, "Alabama Constitution of 1901," 94, 164-165, 128-129.

⁹⁰Frank B. Williams, Jr., "The Poll Tax as a Suffrage Requirement in the South, 1870-1901," *Journal of Southern History*, XVIII (1952), 491.

⁹¹McMillan, "Alabama Constitution of 1901," 141-143, 139.

jects at their hands for disposal."⁹² The poll tax, a measure passed largely due to pressure from the state's schoolteachers, was intended "to take advantage of the obvious economic weakness of the Negro, . . . who would, moreover, often disfranchise himself by thoughtlessly omitting to pay his poll tax at the proper time or by losing his receipt."⁹³ The tax was not opposed by delegates from the white counties; "the Populists tended to ignore it; some Republicans advocated its use."⁹⁴

The disfranchising constitution was ratified by the state's voters following a Democratic campaign stressing "White supremacy! Honest elections! and the New Constitution! One and inseparable!"⁹⁵ While Johnston led the fight against ratification, Kolb spoke throughout the state extolling the virtues of the new constitution.⁹⁶ Democratic speakers, descending on the white counties in groups, promised the poor whites that the new constitution would not disfranchise them, and pleaded with them to uphold white supremacy by voting for ratification.⁹⁷ Negro leaders, reflecting their conviction that the new constitution would be ratified, called for black voters to boycott the polls to prevent fraudulent counting of their ballots, and advised the race to seek justice from the United States Supreme Court.⁹⁸ But only one heavily black county, Lowndes, voted against ratification, while virtually all of the thirty-one counties opposed were predominantly white. While the Tennessee Valley region and the black-belt favored the new constitution, the heaviest opposition came from those areas inhabited by poor whites.⁹⁹

⁹²*Stenographic Report of the Convention*. July 24, 1901, quoted in McMillan, "Alabama Constitution of 1901," 140.

⁹³Williams, "Poll Tax," 471-472; McMillan, "Alabama Constitution of 1901," 125-126.

⁹⁴Williams, "Poll Tax," 494.

⁹⁵*Birmingham Age-Herald*, September 18, 1901, quoted in McMillan, "Alabama Constitution of 1901," 174.

⁹⁶McMillan, "Alabama Constitution of 1901," 175, and *Constitutional Development in Alabama*, 348.

⁹⁷McMillan, "Alabama Constitution of 1901," 179; Woodward, *Jim Crow*, 85.

⁹⁸McMillan, "Alabama Constitution of 1901," 176. In the *Giles Case* (1903), the Supreme Court upheld the Alabama Constitution of 1901. See: *Giles v. Harris*, 189 U. S. 475 (1903).

⁹⁹Owen, *Alabama Official and Statistical Register*, 1903, 1141. The vote was 108,613 for and 81,734 against the constitution.

The effects of the disfranchising constitution were tremendous. In 1900, about 180,000 Negroes were potential voters, and about 80,000 were registered in only fourteen black-belt counties. By January, 1903, only 3,000 blacks were registered in the entire state.¹⁰⁰ A year later there were sixteen counties with four or fewer registered Negro voters.¹⁰¹ Although disfranchisement of poor whites did not take effect as quickly, it was estimated in 1942 that the 1901 Alabama Constitution disfranchised about 600,000 whites and 520,000 blacks.¹⁰²

Professor C. Vann Woodward has held the Populists partly accountable for disfranchisement. He has concluded, correctly, that by 1898 Populists generally held the opinion that Negro disfranchisement would remove from politics the tool used by the Democrats to defeat populism and would make possible a resurgence of the protest movement. In addition, Woodward suggests that the Populists, after failing to attract Negro support for common goals and then suffering final defeat, somehow molded the frustration and bitterness of defeat into aggression against the blacks, who were the most likely scapegoats.¹⁰³

If it is possible to speak of large-scale political movements in terms best used to describe individual personalities, then Woodward's suggestion seems plausible. When applied to the protest movement in Alabama, however, it needs clarification. The protestors did, indeed, blame the Negro for their defeat, but they did so after every state election between 1890 and 1900, and not only following their final defeat. Moreover, after 1892 the protest party had despaired of attracting black votes and sought to prevent the Negroes from participating effectively in politics. To be sure, appeals were made for black votes, but these stemmed from opportunistic motives, not from goals shared with the Negroes; and the appeals did not differ markedly from those made to blacks by Democrats. Also, the nature of

¹⁰⁰McMillan, *Constitutional Development in Alabama*, 352.

¹⁰¹Walter L. Fleming, *Civil War and Reconstruction in Alabama* (New York: Columbia University Press, 1905), 806-807.

¹⁰²McMillan, *Constitutional Development in Alabama*, 354.

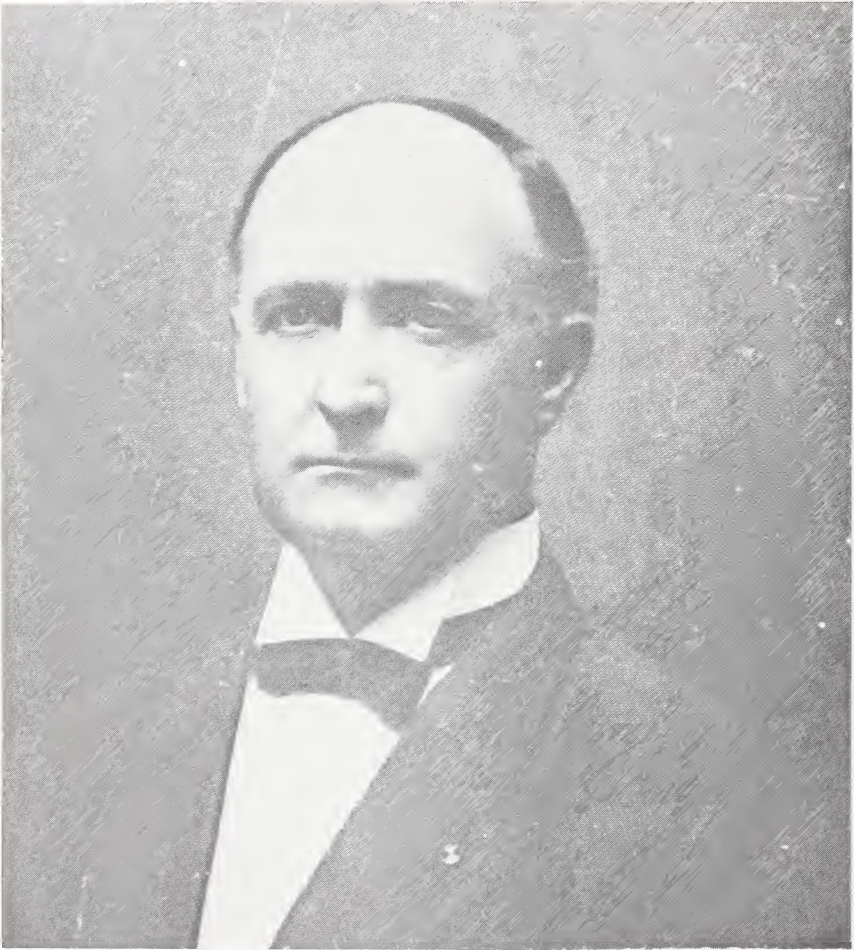
¹⁰³Woodward, *Origins of the New South*, 323; *Jim Crow*, 81-83; and, *The Burden of Southern History* (New York, 1968), 118.

the protest movement after 1896 should not be assumed too readily to be the same as that of the movement prior to that time. Many leaders such as Reuben Kolb had become right-wing Democrats, while others, perhaps a majority, had joined the Lily-White Republicans. Until additional studies have been completed, the political motives of those leaders that remained—and they were usually such die-hard anti-Democrats *and* anti-Republicans as Gratton B. Crowe and S. M. Adams—cannot be described in detail. Since the protest party had crumbled by the time of the Alabama disfranchising convention, it is impossible to ascertain what part it might have played in disfranchisement had it been as strong in 1901 as in 1892. In addition, the idea of disfranchisement had existed before the protest movement and was not actualized until the dissidents no longer posed a threat and the Democrats were firmly in control of Alabama politics. Perhaps the association of the protest movement with disfranchisement is more the consequence of the closeness of the two events in time, than of an intrinsic relationship between them.

Whether or not the protest movement had a major role in disfranchisement, it did have many significant results. For a few years Alabama experienced the stimulation of a two-party system. While politicians were forced to pay heed to all the political currents in the state, the heated elections of the nineties focused the voters' attention on a number of key issues including Democratic corruption and machine tactics, the role of the Negro in Alabama politics, the convict-lease system, the distressed condition of agriculture, and the currency issue. When the voters responded by supporting the protest party, the Democrats reacted by absorbing the issues of the protest movement. New party leaders, politicians like Joseph F. Johnston and Braxton Bragg Comer, who were inclined to serve the interests of the entire state, appeared to challenge the leadership of men like Thomas G. Jones and William C. Oates, who represented only the dominant groups. A split developed in the party ranks that separated "progressives" and "conservatives" and gave the state a kind of two-party system in the future. Democratic party machinery, as the result of a state elections contest law and a white primary, became more responsive to the popular will. Also, the Democrats sought to alleviate the worst effects of the convict-lease system and revealed a

greater interest in scientific agriculture and programs for agricultural diversification.¹⁰¹ Professor Sheldon Hackney has found little evidence that suggests continuous development from the protest movement of the nineteenth century to the progressive movement of the twentieth, but the political revolt of the nineties, even if it did not set the tone for another age, certainly forged the political issues of the day.¹⁰²

¹⁰¹Fleming, *Civil War and Reconstruction in Alabama*, 800; Clark, *Populism in Alabama*, 163, 176-178.



THE ORIGIN OF THE ALABAMA DEPARTMENT OF ARCHIVES AND HISTORY

by

Robert R. Simpson

Before the turn of the twentieth century, the Southern states had shown little leadership in historical activity in the United States. Although the Civil War seriously interrupted early Southern progress in this endeavor, several factors combined later to permit the South to assume national leadership for a time in archival preservation. One chief factor was the growing industrialization of the region, a development that provided the resources necessary for greater educational advancement on the one hand and on the other produced a fear that Southern identity would soon be lost. A virtual historical renaissance then occurred resulting mainly in the creation of a new concept of state responsibility to history—the department of archives and history.

Alabama's role in the Southern archival movement was a most important one. In 1901 this state became the first in the Union to make a separate governmental department responsible for preserving its history. Its pioneer State Department of Archives and History quickly became a model for other states and by the end of the decade four Southern legislatures had followed Alabama's lead.

The originator of this new concept was an amateur historian and a native Alabama lawyer, Thomas McAdory Owen. Owen was born December 15, 1866, in Jonesboro, near the present-day industrial center of Bessemer.¹ He received his early education in a common school and prepared for college at a nearby academy. In 1884, Owen entered the University of Alabama, emerging three years later at the age of twenty-

¹For a fuller sketch of Owen's career, see Thomas M. Owen, *History of Alabama and Dictionary of Alabama Biography* (4 vols., Chicago, 1921), IV, 1310-1311; James F. Doster, "Thomas McAdory Owen, Sr.," Clifford L. Lord, ed., *Keepers of the Past* (Chapel Hill, 1965), 97-108; and Mitchell B. Garrett, "The Preservation of Alabama History," *North Carolina Historical Review*, V (January, 1928), 3-19.

one, with two degrees, a bachelor of arts and a bachelor of laws. He graduated first in a class of twenty-two.

His education completed, Owen settled and practiced law in newly established Bessemer. His interests were so diverse, however, as to lead him into a multiplicity of activities—as justice of the peace (1888), city solicitor and chairman of the Jefferson County Democratic Executive Committee (1890), president of the University of Alabama Alumni Society (1888-90), and assistant county solicitor (1892). The following year he married Marie Bankhead, daughter of Congressman and later Senator John H. Bankhead, one of Alabama's most prominent politicians. This marriage proved to be very fortunate for Owen. His wife encouraged and assisted him professionally, as did his influential father-in-law.

If law was Owen's chosen profession, history became his avocation. This secondary career apparently had its beginnings two years after he left the University of Alabama when he began collecting student publications of his alma mater and fraternity. As his interests broadened over the years, Owen collected books, documents, newspapers, and correspondence relating to his native state. In doing so he came to realize how little Alabama history had been written.

Financial difficulties led Owen to ask his father-in-law to assist him in securing a governmental position in Washington. Successful in his quest, he served from 1894 until 1897 as chief clerk in the Division of Post Office Inspectors. During this period, Owen spent much of his spare time in the Library of Congress where he made the acquaintance of the head librarian, Dr. Ainsworth R. Spofford. The two became close friends, and Owen profited greatly from Spofford's knowledge of scientific historical research.

Encouraged by Spofford, Owen continued his collecting activities, eventually accumulating what a later writer called "the greatest collection of government documents in private hands ever assembled in America."² Equally important for

²Peter A. Brannon, "The Alabama Department of Archives and History," *Alabama Historical Quarterly*, XXII (Spring, 1962), 13.

Owen's future historical career were his compilations of bibliographies of Alabama and Mississippi. When the American Historical Association published them among its *Annual Reports*, they quickly won for the compiler a prominent place in historical circles.²

While in Washington, Owen met numerous directors of historical societies, men the stature of Wisconsin's Lyman Draper, and such professors of history as Stephen B. Weeks and Colyer Meriwether. These contacts proved invaluable to him later. In 1896, he and several of these friends founded the Southern History Association. Owen was elected its first treasurer, a position he held as long as he remained in Washington.³

Returning to Alabama in 1897, Owen opened a law practice in the little Black Belt town of Carrollton, but maintained a major interest in history. Before leaving Washington, he prepared a bill providing for a state commission to study the public and private records of Alabama history and to make recommendations concerning their preservation. This proposal was introduced into the Alabama legislature, but—for lack of adequate support—there was no final action.⁴

Owen then turned his attention to revitalizing the moribund Alabama Historical Society. This institution, founded in 1850 at Tuscaloosa, had suffered many trials and tribulations. The Civil War and Reconstruction interrupted its work, and after a brief revival of interest in 1874 it died out during the following decade.⁵ In 1898, Owen suggested to several people,

²The "Bibliography of Alabama" appears in the *Annual Report of the American Historical Association for the Year 1897* (Washington, 1898), and the "Bibliography of Mississippi" appears in the same publication for the year 1899, I, 633-828.

³*Publications of the Southern History Association*, I (January, 1897), 2-4. Stephen B. Weeks and Colyer Meriwether were both Johns Hopkins University trained historians.

⁴Thomas M. Owen, ed., *Report of the Alabama History Commission: Publications of the Alabama Historical Society*, Miscellaneous Collections (Montgomery, 1901), I, 5-6.

⁵See pamphlet by Peter A. Brannon, *The Years of the Alabama Historical Society*, (Montgomery, 1964), and Allen J. Going, "Historical Societies in Alabama," *Alabama Review*, I (January, 1941), 39-43.

Professor Thomas C. McCorvey of the University of Alabama among them, that the Society should be rejuvenated. McCorvey responded favorably and arranged an organizational meeting.⁷

The meeting was held June 21, 1898, at Clark Hall on the University of Alabama campus in Tuscaloosa. Dr. W. S. Wyman, professor of Latin at the University and one of the Society's vice presidents, presided. In the absence of the secretary, Wyman designated Thomas Owen to act in this capacity. From the very start it must have been abundantly clear that Owen would be the guiding light behind the new organization; for not only did he appear with papers to be read at the meeting, but he also presented written resolutions regarding the Society's future work. In introducing these measures, Owen called attention to the great interest manifested all over the country in history and historical investigation. His remarks revealed an aspect of his personality which later proved an invaluable asset to his career and to the cause of Alabama history: his ability to generate enthusiasm by applying the psychology of positive thought. His genuine enthusiasm about historical work in Alabama and his assuring his hearers that the state's cultured people were ready to support a substantial revival of the historical society, created in his audience the feeling that they were part of a significant movement. The goal of that movement, said Owen, was inducing the General Assembly to aid the cause of history in Alabama⁸

Owen then introduced his resolutions and on his motion they were all adopted. These resolutions made the secretary, as a later writer phrased it, "to all intents and purposes, the society."⁹ They empowered this officer to increase the Society's membership, disseminate information as to its objectives and work, publish the proceedings of all its meetings, and "generally . . . further its interests and manage its affairs."¹⁰ Owen

⁷McCorvey to Owen, April 1, 1898, Alabama State Historical Society Papers (Alabama Department of Archives and History, Montgomery).

⁸Thomas McAdory Owen, ed., "Proceedings of the Annual Meeting, June 21, 1898," *Publications of the Alabama Historical Society Transactions* (Tuscaloosa, 1898), II, 11.

⁹Garrett, "The Preservation of Alabama History," 9.

¹⁰Owen, ed., "Proceedings of the Annual Meeting, June 21, 1898," 13. See also the Tuscaloosa *Evening Times*, June 22, 1898, for an account of the meeting.

was then elected to the combined office of secretary and treasurer.

The Society showed great political wisdom in obtaining state aid. It elected the governor to the office of president, an honor subsequently accorded two other governors during the remaining years of the Society's existence. These officials proved valuable contributors to the eventual establishment of the Alabama State Department of Archives and History.¹¹ Foresight was also shown in the election of an impressive list of distinguished citizens to fill the other offices.

Secretary Owen lost no time in settling down to work. He wrote over 1500 letters, most of them personal invitations to membership in the newly-reorganized Society. As a result, within a year 251 new and 25 corresponding members were added to the rolls. Among the corresponding members were Professors Herbert Baxter Adams and J. Franklin Jameson and two future presidents of the United States, Woodrow Wilson and Theodore Roosevelt.¹² At the same time, Owen issued five circulars describing and promoting the work of the organization and appealing for additional members. These circulars were small enough for easy insertion into envelopes for mailing.

Circular No. 3 was entitled "An Appeal to the Press of the State." Expressing the belief that the press could do more to further the organization's work than any other known agency, Owen briefly explained the purpose of the Historical Society and asked the editors for additional publicity. Secretary Owen also took this opportunity to request two complimentary copies of future issues of each newspaper in order to build up the Historical Society's files.¹³

¹¹Governor Joseph Forney Johnston served two terms as president, 1898-1899 and 1900-1901. Governor William James Samford was elected president for the 1901-1902 term, but he died on June 11, 1901. He was succeeded by Governor William Dorsey Jelks, who served from 1902 until the Society's demise in 1905.

¹²Owen, ed., "Proceedings of the Annual Meeting June 19, 1899," *Transactions*, III, 17-18; and Alabama Historical Society, *Administrative Circular No. 4* (Montgomery, 1899), 15.

¹³Alabama Historical Society, *Administrative Circular No. 3* ([Tuscaloosa?] August 15, 1898).

Within a year of the Historical Society's reorganization, it had achieved its major immediate goal of obtaining legislative assistance for furthering its work. Two acts passed in December, 1898, provided the first appropriation for historical work ever made by the State of Alabama. One bill (H. 460)¹⁴ appropriated \$250.00 annually for two years to aid the Alabama Historical Society in the publication of its transactions and papers. The other bill (H. 459) provided the authority for establishing an historical commission of five persons selected from the membership of the Alabama Historical Society. The duty of the commission as stated in the bill would be

... to make a full, detailed and exhaustive examination of all of the sources and materials, manuscript, documentary and record of the history of Alabama from earliest times, whether in domestic or foreign archives or repositories, or in private hands, including the records of Alabama troops in all wars in which they have participated, and also of the location and present condition of battlefields, historic houses and buildings, and other places and things of historic interest and importance in the State; and the said commission shall embody the result of said examination in a detailed report to the Governor of Alabama prior to the next ensuing session of the General Assembly, with an account of the then condition of historical work in the State and with such recommendations as may be desirable.¹⁵

Both bills received the enthusiastic support of the local press. The *Montgomery Advertiser* of December 4, 1898, ran a full column editorial explaining the two bills, pointing out the need they were designed to meet, and endorsing the ideas contained in each. The *Montgomery* editor explained that commissions were frequently appointed by state legislatures as well as by Congress to conduct investigations among various lines of inquiry. He noted that, in many states, commissions similar to the one proposed for Alabama had already been formed and that South Carolina had a permanent historical

¹⁴For a copy of the bill, see *Alabama Acts of the General Assembly, General Laws, 1898-99*, 65.

¹⁵See *ibid.*, 20-21. Also in Owen, ed., *Report of the Alabama History Commission*, 7-8.

commission whose members served without pay. In his endorsement of the appropriation bill, the Montgomery editor stated his conviction that the Historical Society was entitled to the small appropriation requested and that the future work the members would accomplish would more than justify the expenditure. The editorial concluded with an appeal to state pride: "The State owes it to her sons to preserve her history, and the beginning here sought to be made in this behalf will reflect credit on those who support the measure long after the ordinary incidents of this session are forgotten."¹⁶

In spite of this lengthy editorial's clarity and the persistent character of the promotional campaign, some confusion over the bills' nature arose in the legislature. The *Advertiser* reported the controversy the following day under the heading "General Assembly Filled with Patriotism." Several representatives created a field day of oratory in favor of the bills. Representative William W. Brandon, a member of the Historical Society and sponsor of the appropriation bill, initiated the discussion by stating that the legislature would be untrue to posterity were it to deny the paltry aid proposed for the encouragement of the state's historiography. "We owe it to ourselves; we owe it to all the people of Alabama, we owe it to all that is high and uplifting in life," he said. But another legislator questioned the wisdom of the measures stating that he did not see what would prevent members of the Historical Society from sticking the money appropriated into their own pockets. Representative Bernard Harwood, an Historical Society member from Greene County, resented this imputation and in an eloquent oration appealed to the memories of Admiral Raphael Semmes, General Joseph Wheeler, Major John Pelham (all Alabama war heroes), and to the recent "forceful example of [General Richmond Pearson] Hobson," to stir the hearts of the measure's opponents. William C. Davis of Marion County, another member of the Historical Society, said that he failed to understand how any representative could vote as an Alabamian against the bill. Then came Representative B. H. Screws, of Montgomery County, with what the *Advertiser's* account termed "a gallery of word pictures." Screws expressed

¹⁶Montgomery *Advertiser*, December 4, 1898.

his surprise at the opposition which had developed to the measure, adding:

. . . especially when we consider the consecrated hall in which we are assembled—this sacred chamber around which cluster so many sad yet glorious memories—this hall where the fiery invective of Yancey, the sweet eloquence of Bullock, the deep reasoning of Houston, the irresistible logic of Watts, and the impetuous valor of Clanton [were heard]. This discussion, Mr. Speaker, has brought up tender memories of that period of history known as the Old South. Glorious Old South! May her sons be ever true to her ancient fame and worthy of her ancestral honors. . . . To vote down this proposition, Mr. Speaker, to collect and preserve these records, I cannot believe is the purpose of this House. But if such is the intention, then burning shame will set its seal on the brow of this great State; and her proud sons, as they travel in other lands, will blush at the recital of their State's dishonor as it falls from the sneering lips of the stranger.¹⁷

Upon finally securing the floor, T. M. Patterson, a Barbour County legislator who had first voiced disapproval of the measure, announced that he had been under a misapprehension when he opposed the bill. He blamed the Society's members for not having fully explained the legislation and declared his now hearty approval. This said, the bill finally passed by a vote of 75 to 3.¹⁸ On the following day chauvinistic patriotism reached another peak; for the tall, gleaming monument honoring the Confederacy was to be unveiled on the north lawn of the capitol building. House of Representatives members, in a hurry to attend the unveiling, quickly reconsidered the history commission bill and a new count of 59 to 1 was recorded.¹⁹

At the public unveiling ceremony both chambers heard former Governor Thomas G. Jones, a member of the Historical Society, make an impassioned address calling on the state to assume its obligations to its history. Stating that "our duty

¹⁷*Ibid.*, December 7, 1898.

¹⁸*Alabama Journal of the House of Representatives*, 1898-99, 326.

¹⁹*Ibid.*, 349.

is not ended with the unveiling of this monument," he then posed the following questions:

Where may [an] Alabamian find a roll of the men who made history and yet left no name on its pages? Where can he find the names of the great throng who died, with no rank to attract the eyes of the country, and went down to death unheeded save by the firm beating of their own dauntless hearts? Can he find their names among the archives of the State for which they gave their lives? They are not there. In historic publications of her heroic sons? She has written none. Will he find them on the graves of the dead? Some have no headstones, and many are marked "unknown."²⁰

Two days later the Senate passed both appropriation and commission bills by a unanimous vote.²¹

On January 6, 1899, Governor Johnston, acting as president of the Historical Society, designated five members to serve on the newly created History Commission.²² In June the Commission assembled at the University of Alabama, elected Owen as its chairman, and agreed on its course of action.²³

In that same month, the Commission published a circular stating the nature of its proposed work and promising that a report in preparation would fully indicate what Alabama historical material was in existence and where it could be found. But the Commission recognized the impossibility of accomplishing this task without the public's assistance, and therefore urged every Alabamian to render aid:

In all parts of Alabama are individuals who have facts in their knowledge on some, if not all of the topics embraced in the proposed investigation. Hid away in old trunks,

²⁰Montgomery *Advertiser*, December 8, 1898.

²¹*Alabama Journal of the Senate*, 1898-99, 304-305.

²²Members appointed were Thomas M. Owen; Dr. W. S. Wyman, University of Alabama; Colonel Samuel Will John, Birmingham; Peter J. Hamilton, Mobile; and Professor C. C. Thach, Alabama Polytechnic Institute, Auburn. Owen, ed., *Report of the Alabama History Commission*, 13.

²³*Ibid.*, 14.

drawers, book-cases, and chests, are numbers of manuscript treasures; private letters, letter books, diaries or journals, weather notes, manuscript maps, account books, surveyor's note or field books, etc. In the hands of participants, or their descendants in the Indian wars, the Texan and Mexican wars, and the late war between the States, are doubtless to be found valuable letters, journals of campaigns, and rolls of various commands, as well as mementoes of these struggles. The location, extent and present ownership of all such materials is earnestly desired; and if possible a gift of the same to the Historical Society.²¹

The context of this paragraph was to be rephrased numerous times in the future by similar agencies seeking to preserve their state history.

Owen worked diligently to collect information on all phases of Alabama history. He corresponded with hundreds of individuals and groups and he gained a vast amount of information. In addition, he wrote historical societies across the country and, from the replies received, he was able to compile a section for the Commission's report on what other states were doing for their history. Owen was particularly concerned with the condition of the public records in Alabama. A story has been widely circulated that he became quite upset over seeing a stack of valuable state documents used as a doorstop in the state capitol building and that he resolved to find a solution to such problems.

That solution Owen presented as the major recommendation in the History Commission's 446-page report to the Governor. It urged the creation of a new government department, the first of its kind, to be known as the Alabama State Department of Archives and History.²⁵ This department was to be "charged

²⁴Alabama Historical Society, *Administrative Circular No. 7*.

²⁵Doubtless, the idea was original with Owen, but perhaps a letter addressed to him from University of Alabama history and philosophy professor Thomas C. McCorvey, written in 1898 as part of an exchange concerning the rejuvenation of the Alabama Historical Society, stimulated his thinking. McCorvey wrote: "This idea suggests itself to me: The Secretary of State is the constitutional custodian of public documents. A bureau established in his office and presided over by a competent person as archivist, having at his disposal a thousand or two dollars per annum for the purchase and preservation of historical materials,

with the custody of the State official archives, and the collection and creation of a State library, museum and art gallery, with particular reference to the history and antiquities of Alabama, to be under the supervision of a Director" and to have "a liberal continuing appropriation." The Commission proposed that the collections of the Alabama Historical Society be turned over to the new department so they could form the nucleus for future departmental holdings. The department would build "a great reference historical library" for the state. It would also "gather together the surviving letters and papers of our public men, and the large number of interesting museum articles as well as pictures, which are now waiting some safe place of deposit."²⁶

The advantages of the proposed department were numerous. Its establishment, according to the History Commission's report, would be a progressive advance for Alabama and would place it "in the front rank" of those states taking an intelligent and patriotic interest in their history and archives. Beyond sentimental and patriotic considerations, however, the department "would prove of greatest practical benefit to the people of the whole State." Its educational value could not be underestimated, the report continued, and it would "be a place to which the patriotic heart of all Alabamians could turn with pride and delight." It would not only increase the "sense of local importance and State pride, but would also engender a higher degree of respect on the part of sister commonwealths."

The report was favorably received by the press and the public. The *Montgomery Journal* editorially urged the governor to follow the Commission's recommendations and warned that the opportunity for embarking so successfully on the work might

would solve the problem. A historical society to accomplish anything ought to have a secretary who could devote practically his whole time to the work, and of course, this would require a decent salary, as well as money with which to make purchases. Such an organization independent of state aid is impracticable now and may be for years to come. Let the state, however, undertake the work of preserving her history, and the problem is solved." McCorvey to Owen, January 18, 1898, Thomas M. Owen Papers (Alabama Department of Archives and History, Montgomery).

²⁶Owen, ed., *Report of the Alabama History Commission* 37.

²⁷*Ibid.*, 37-38.

not occur again in a generation.²⁸ The *Advertiser*, assuring its readers that public opinion seemed generally favorable to the plan, published as partial proof resolutions adopted by the faculty of the Alabama Polytechnic Institute at Auburn.²⁹ A later editorial in this daily reiterated the prior endorsement and quoted from former Governor Jones' 1898 Confederate Monument oration: "Poverty and despair long pleaded to excuse us but that excuse is not good now."³⁰ The *Birmingham News*' endorsement expressed such confidence in the establishment of the new state department that it turned its attention to the next order of business, choosing a director. The *Birmingham* editor felt that Owen was the most suitable person to fill this position and stated that it would be "but slight recompense to give him the means to complete the work of love begun and so painstakingly prosecuted by him."³¹

Owen drafted the bill creating the Department of Archives and History³² and it was introduced into the Senate by William Dorsey Jelks (later elected state governor and president of the Alabama Historical Society). Owen recognized that the project might be regarded as experimental and, sensitive to possible opposition, he asked for a very small first-year appropriation. The \$3,000.00 he requested was to cover the director's salary, that of a stenographer, traveling expenses, and the cost of all necessary office supplies.

In a special message to the legislature, Governor William Samford strongly urged the establishment of the proposed department. His financial recommendation for the first year's appropriation, however, was even less than Owen's figure, for the governor suggested the expenditure of not more than

²⁸Montgomery *Journal*, May 5, 1901.

²⁹Montgomery *Advertiser*, February 5, 1901. This was perhaps due to the influence of Professor George Petrie, former student of Herbert Baxter Adams at Johns Hopkins University and a key member of the Alabama Historical Society.

³⁰*Ibid.*, February 6, 1901.

³¹Birmingham *News*, February 11, 1901.

³²Colyer Meriwether, also a former Adams student and a Washington friend of Owen's, credits Owen with authorizing the legislation in his *History of the Intellectual Life of the South, The South in the Building of the Nation* (Richmond, 1909), VII, 514-515. For a copy of the bill, see Alabama, *Acts of the General Assembly, General Laws*, 1900-01, 126-31.

\$2,500.00 per year, stating that subsequent general assemblies could increase the sum when the department had demonstrated its importance and value. Appropriations were significantly increased in later years.³³ Meanwhile, the legislature gave nearly unanimous approval to the archives and history bill and on February 27, 1901, Alabama became the nation's first state to enhance Clio with departmental status, providing a model for numerous other states.³⁴

Five days after the governor signed the bill into law, the nine trustees, each representing an Alabama congressional district, held their first meeting in the governor's office. They organized the department and elected Thomas Owen its director. The new act specified that the department was "to be located in the State Capitol in an apartment to be set aside for its use by the Governor" but the only available space not in use at the time was the Senate cloak room. There Owen received permission to establish his office. While his quarters were inadequate, he was at least conveniently located to lobby for further legislative support, which he did at every opportunity.

The Senate needed little encouragement. Owen set up his historical art gallery and museum in the Senate chamber and expropriated the Senate gallery for his overflow books and files. Perhaps acting partially out of fear that the energetic and resourceful Owen would take over their entire chamber for his purposes, the Senate voted to enlarge the statehouse! A 1903 act named Thomas Owen secretary of the Alabama Capitol Building Commission. He used his influence to insure that the new wing to be built would contain a fireproof repository for the use of his department. Upon completion of the new extension in 1907, Owen's bulging collections occupied nearly half the space. Within a decade, the collections overflowed the new quarters and filled five former dwellings nearby.³⁵

These archives included a copy of the first Alabama constitution, dated 1819, original manuscripts of later constitu-

³³See Alabama Department of Archives and History, *Laws Governing the Department of Archives and History*, Bulletin No. 4 (Montgomery, 1907), 9-10.

³⁴The Senate vote was 23-1, *Alabama Journal of the Senate*, 1900-1901, 1381.

³⁵"Address of Dr. R. D. W. Connor," *Alabama Historical Quarterly*, II (Fall, 1940), 278.

tions, executive correspondence dating from 1835, files of numerous governmental officials, constitutional convention records, and legislative records. Numerous other useful records now became available to scientifically-oriented historians. They included census returns, land records and maps, military registers, bonds, tax statements, pension statements, and other useful material. Local officials turned over to the new agency their non-current records in accordance with the act creating the Department. To these official archives Owen added impressive private collections. Spofford donated all duplicates of Southern newspapers from the Library of Congress. The J. L. M. Curry heirs presented his private library comprising some 2,500 pieces. The family of William L. Yancey donated all this famous orator's manuscripts and papers. Owen collected a portion of the library owned by Albert J. Pickett, one of Alabama's first historians. The Department quickly became a popular depository of manuscripts written by Alabamians.

Other duties occupied Owen's time in the Department's early years. One was preparation of the *Official and Statistical Register of the State of Alabama*, a useful statistical compilation about the state and its officials. Owen issued this volume four times during the first ten years of his administration. In 1907, the Department of Archives and History began encouraging the establishment of public school libraries and assisting in their organization; also similarly serving in the organization of a legislative reference service for state legislators. Performance of these additional duties further justified Owen's concept of an archival agency designed to meet specific state government needs.

During these early years of the department's existence, Owen could devote little time to the activities of the Alabama Historical Society. Since he himself was the organization, without his energetic influence the Society steadily declined. At its annual meeting in 1901, the Society voted to turn its historical possessions over to the Department of Archives and History. It resolved to limit itself in the future to publication activities. It also decided to move its headquarters to the city of Montgomery.³⁶ Only three more annual meetings were held

³⁶Owen, ed., "Proceedings of the Annual Meeting, June 3, 1901," *Transactions*, IV, 248.

and two more volumes of transactions were issued before the Society faded out of existence.

Owen did not give up his interest in other organizations, however. On the contrary, he seemed willing to join any organization that he felt would benefit the activities of the department. These included such diverse associations as Sons of Confederate Veterans, which he headed on the national level from 1905 until 1907; the Alabama Library Association, which he founded in 1909 and served as president until his death; the Confederate History Club of Montgomery, which he headed as both founder and president; the Alabama Anthropological Society, which he served as secretary; The Thirteen, a local literary club; the Bartram Natural History Society of Alabama, promoted by Owen; and the Montgomery branch of the Alabama Education Association, organized by Owen. He also held membership in the Alabama Folk Lore Society. Besides his participation in these activities, Owen found time to issue and promote a new historical publication, the short-lived *Gulf States Historical Journal*.

Fame came to Thomas M. Owen during his lifetime. The Mississippi Valley Historical Association accorded him the high honor of electing him president in 1907. He so ably defended his concept of state departments of archives and history before the American Historical Association in 1904 that he was named chairman of the newly organized Conference of State and Local Historical Societies. That same year Owen's alma mater, the University of Alabama, awarded him an honorary degree for extraordinary service to the state. The following year his name was added to the American Historical Association's Historical Manuscripts Commission.

The greatest tangible monument resulting from Thomas Owen's life work is the beautiful and spacious War Memorial Building facing the capitol in Montgomery, the present home of the State Department of Archives and History. This building was constructed in 1940 under the direction of Owen's widow and successor, Mrs. Marie Bankhead Owen, and it fulfilled one of Owen's fondest dreams. No doubt he would feel quite at home there today, for the department is again faced with the problem of inadequate space to house its growing collections

which will be alleviated with the completion of a two-million dollar addition.

Still another tribute to Owen's ability and industry is the fact that state after state has followed Alabama's 1901 lead in adopting Owen's concept of a separate state government department devoted to the cause of history. Within a few months Mississippi had established almost an exact replica of the Alabama department; and before the decade had ended, similar agencies were established in Arkansas, South Carolina, and North Carolina. These states became Southern pioneers in this field of endeavor and they received due recognition from outside the region as well.

BOOK REVIEWS

Stephen S. Renfroe, Alabama's Outlaw Sheriff by William Warren Rogers and Ruth Pruitt. (Tallahassee: Sentry Press, 1972. Pp. 140. \$7.50).

The saga of Stephen S. Renfroe, the notorious outlaw sheriff of Sumter County, is a classic example that truth continues to be stranger than fiction. Had Renfroe's career been adapted for a fictional portrayal, the reader's reaction would be, "Aw, come on, nobody can identify with such an incredible character." But here he is—the cat with nine lives perennially in jeopardy in his numerous escapes. This remarkable individual caught the interest of the author, William Warren Rogers, at least a decade ago. Other scholarly projects demanded more immediate attention, and after enough investigation to see that the search for information about Renfroe was of the needle-in-the-haystack variety, Rogers attempted to shelve Renfroe. But this will-o-the-wisp would not leave Rogers alone until a full study of the sheriff's career was attempted. Now after the publication of numerous other fine monographs, most notably *One Gallused Rebellion: Agrarianism in Alabama, 1865-1896*, Rogers has produced a biography of Renfroe that moves him from the genre of legend into that of history.

The early years of Stephen S. Renfroe are sketched briefly. Renfroe was a native Georgian whose family moved to Butler County, Alabama, while Renfroe was still a child. The product of a yeoman farmer environment not far removed from the frontier, Renfroe nevertheless received a basic education. During the Civil War he served two and one-half years in the Confederate army before deserting in January, 1864.

The major focus of the book begins in the late 1860's when Renfroe turned up in Sumter County, where he became a respected farmer and member of the Ku Klux Klan. The secret nature of the klan makes it difficult to know the extent of Renfroe's participation in Reconstruction violence in west Alabama and east Mississippi, but he did become a hero to those trying to overthrow Radical Republican rule and he was rewarded by election as sheriff of Sumter County after the close of Reconstruction. For a brief period he was a model office-

holder, but then disturbing events occurred. Subsequent investigations exposed that while sheriff he had committed robbery, arson, and blackmail. Eventually, he was jailed but not for long, as he soon engineered his first of many escapes. The remaining six years of his life saw Renfroe in and out of jail, mostly out, as there seemed to be no jail stout enough to hold him long. The details of his incredible jailbreaks, his experiences in the Alabama convict lease system, his life as a west Alabama outlaw are recounted as fascinating anecdotes with all sources carefully noted. Eventually, Renfroe's luck ran out when he was lynched outside of Livingston in July, 1886.

Rogers had lifted Renfroe from folklore to history by exhaustive study of manuscripts, newspapers, and county, state, and federal records. Yet, the thorough research which produced the biography has not, as often happens, squashed the life out of it. The book is at once scholarly and fascinating with a remarkable warmth that makes Renfroe and Sumter County of the 1870's and 1880's seem old friends we know well. The Renfroe who emerges from these pages was obviously a charming and engaging personality, a combination of vice and virtue who attracts the reader as he magnetized his contemporaries.

Stephen S. Renfroe, Alabama's Outlaw Sheriff is an excellent biography of a colorful figure who lived in a period of Alabama history that remains a virgin area for research. Hopefully, this volume will inspire studies of other post-Civil War figures in Alabama. It will certainly serve as a fine model for such efforts.

Sarah W. Wiggins
University of Alabama

The Disruption of the Solid South. By George B. Tindall. (Athens, Ga.: University of Georgia Press, 1972, Pp. 98. \$4.00).

The Disruption of the Solid South is another outstanding volume in the Lamar Memorial Lecture series delivered at Mercer University in Macon, Georgia. The author, George B. Tindall, is Kenan professor of history at the University of North Carolina at Chapel Hill and recently has been highly praised

for his prize-winning *The Emergence of the New South, 1913-1945*.

The three Lamar lectures analyze the Republican party's Southern strategy from Hayes through Nixon. President Rutherford B. Hayes developed a Southern policy in 1877 in order to appease Southern whites and to secure his election. His simultaneous hope was to divide the Southern white vote and encourage political competition for the blacks. Unfortunately, Hayes' well-meant plans went astray, and his appeasement of Southern whites resulted in his desertion of Southern blacks, and subsequent presidents did not reverse the trend. The more Republicans ignored the blacks, the more they failed with the whites, and Democrats continued their hold on the Solid South.

The demise of the Solid South began in 1948, and since that election the ex-Confederate states have not cast a solid electoral vote in any election. Persistent Republican gains are most attributable to convulsions within the Democratic party as party policies have steadily eroded their traditional base of white voters while gradually increasing their black voters. Professor Tindall observes that what is remarkable here is not so much the death of the Solid South as the survival of the Democratic party, which has avoided the sectional split it suffered in 1860 and the disintegration that befell the Whig party in 1854.

The 1952 election marked the turning point in Republican fortunes in the South when the candidacy of the "nonpolitical" Dwight Eisenhower made voting Republican "fashionable" in the South. Republicanism swept the white suburbs and did well in Southern cities. While Eisenhower avoided direct confrontations on the race issue which were likely to cause political alienations, his successor was repeatedly swept into such collisions. The result was a mounting Kennedyphobia in the South, and the Goldwater boom added new white members to the Republican party so that in 1968 the Democrats carried only one old Confederate state. As one South Carolinian phrased it, "There ain't that many Republicans in South Carolina, just a lot of mad Democrats" (p. 71). Professor Tindall

expects that in the future both parties will need to seek black votes, and this may vindicate Hayes' belief that political division in the white South constitutes the best guarantee of civil rights for black Southerners.

The volume is the distillation of the author's exhaustive reading in post-Civil War primary sources during decades of scholarly research and his thorough familiarity with the literature parallel to his own work. Footnotes detail his exact sources, while an excellent bibliographical note is included for each of the three chapters and for a general introduction to the subject.

Professor Tindall has done a masterful job in presenting a concise picture of the tangle of Republican attitudes and policies. His account should particularly fascinate those Southerners who have announced that they have not left the Democratic party, rather than the Democratic party has left them. For this is a historian's detached chronicle of what has been, for many an intensely personal and wrenching political shift away from the traditional party of their fathers and forefathers. The book is brief, direct, and lucid, and is peppered with memorable quotations. The scholar will appreciate the volume for its synthesis of historical details and the layman will appreciate it for being readable history. *The Disruption of the Solid South* is a rare combination of fine scholarship and graceful prose.

Sarah W. Wiggins
University of Alabama

Hugo Black: The Alabama Years. By Virginia Van der Veer Hamilton. (Baton Rouge: Louisiana State University Press, 1972. Pp. [ix], 330. \$10.95.)

It is a rare pleasure to discover a book which combines scholarly research with an excellent writing style. This combination is found in a political biography of Hugo Black (1886-1972) which covers his career to the year 1937. The author carries the reader through his childhood, the turbulent twenties of Alabama politics, and into the depression years of the 1930's,

climaxed with Senator Black's appointment as an associate justice of the United States Supreme Court.

The story of Black's political career which comprises the major portion of this volume is that of an Alabama Democrat who with Klan support won election to the United States Senate in 1926 successfully challenging the politically powerful Bankhead family.

He grew into young manhood during the period of Populist tumult of the 1890's and the Progressive period. Black may have been influenced to some extent in his social and political philosophy from these movements. During his tenure as a police judge, solicitor for Jefferson County, and as a practicing lawyer, he always exhibited sympathy and feeling for those less fortunate.

Elected to the Senate during the period of Republican ascendancy, Senator Black did not attract much attention until the Democratic victory in 1932. As a senior member of the majority party, he gained national prominence through his investigations of air-mail contracts, the ocean mail subsidy program, opposition to the anti-lynching bill, investigation of the utility lobbyists, and advocacy of the thirty-hour work week to relieve unemployment.

His progressive record in the Senate and support of New Deal measures attracted the attention of President Roosevelt. When he was appointed to the Supreme Court considerable criticism was aroused over the fact that he had once been a member of the Ku Klux Klan. This he did not deny.

In an unprecedented broadcast over three networks Justice Black spoke for eleven minutes. "He affirmed his belief in the religious guarantees of the Bill of Rights and insisted that his Senate record refuted every implication of intolerance." If there is one explanation for Black's membership in the KKK it is simply that in the decade of the 1920's in Alabama no politician could hope to be elected to public office without membership in or support by the Klan. The author has made extensive use of oral history and the remainder of the bibliography is thorough. The index is excellent and the format is attractive

with several pages of pictures. Historians and the public await the volume on Justice Black's career on The Supreme Court.

Hugh D. Reagan
Auburn University

NOTES

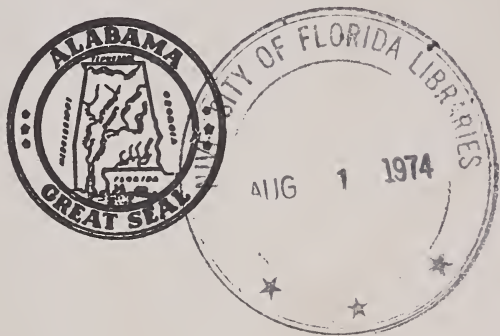
A new and comprehensive edition of the papers of Andrew Jackson is in preparation under the sponsorship of The Ladies' Hermitage Association, The University of Tennessee at Nashville, the Tennessee Historical Commission, and the National Historical Publications Commission.

In this work we are making an effort to locate all extant Jackson letters and documents, not only those written by him but those written to him as well. We would appreciate anyone possessing such materials to allow us to obtain xerox copies of them for which, of course, we will pay all costs of photo-duplication and postage and credit the owner of the originals in the published volumes.

Please address acknowledgments to:

The Papers of Andrew Jackson
Route No. 4, Rachel's Lane
Hermitage, Tennessee 37076

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CONTENTS

The Noble Crusade: Richmond P. Hobson and the Struggle to Limit the International Narcotics Trade, 1920-1925, <i>by Walter E. Pittman, Jr.</i>	181
A Southern Segregationist Goes to Gettysburg <i>by G. Allen Yeomans</i>	194
Masked Men in the Magic City: Activities of the Revised Klan in Birmingham, 1916-1940, <i>by William R. Snell</i>	206
Pages From a Nineteenth-Century Album, <i>by Mary Tabb Johnston</i>	228
Book Reviews:	
Hampden, <i>Francis Drake, Privateer. Contemporary Narratives and Documents</i> , <i>by John D. Fair</i>	234
Caughy, <i>Bernardo deGalvez in Louisiana 1776-1783</i> , <i>by H. E. Sterkx</i>	235
Delery, <i>Napoleon's Soldiers in America</i> , <i>by Winston Smith</i>	237
Green, <i>The Role of the Yankee in the Old South</i> , <i>by Ralph R. Draughn, Jr.</i>	238
Kolchin, <i>First Freedom: The Responses of Alabama's Blacks to Emancipation and Reconstruction</i> <i>by Sarah Woolfolk Wiggins</i>	239
Harrell, <i>White Sects and Black Men in the Recent South</i> , <i>by Norman Lederer</i>	241

<i>Atlas of Alabama</i> , by Miriam C. Jones	243
Davis, <i>Recollections of Mississippi and Mississippi- ans</i> , by Lt. Col. John H. Napier, III	244

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THE NOBLE CRUSADE: RICHMOND P. HOBSON AND
THE STRUGGLE TO LIMIT THE INTERNATIONAL
NARCOTICS TRADE, 1920-1925

by

Walter E. Pittman, Jr.

The American interest in the control of the international narcotics trade began with the opening of diplomatic and economic relations with the Asian countries. While quick to adopt for itself the commercial advantages won by the European powers in the Opium Wars, the United States forbore the lucrative role as middleman in the opium trade with China. Even before the Civil War the United States signed a series of treaties with Japan, China, and Siam, either prohibiting or sharply restricting American involvement in the narcotics trade.¹

Concern in America over the drug trade increased rapidly after 1898 because of the acquisition of the Philippine Islands. Along with its insular real estate the United States acquired a number of opium smokers, most of whom were of Chinese extraction. In 1903 the Philippine Government appointed an investigatory commission headed by Protestant Episcopal Bishop Charles H. Brent. This commission recommended in 1904 the gradual reduction and eventual prohibition of the non-medicinal use of opium in the Philippines. Congress went further and in 1905 simply outlawed non-medicinal use of opium after March, 1908. Efforts at enforcement quickly revealed the international nature of the drug traffic. The Secretary of State admitted that suppression of the opium trade in the Philippines was only "60 per cent effective." Worse still was the increasing use of opium and its derivatives in the United States proper; in fact, America was a leading nation in the per capita consumption of narcotics. An act of Congress in 1909 to suppress domestic consumption was largely ineffective because of its own weaknesses and the international nature of the trade.²

As the realization grew that narcotics was an international

¹Charles E. Terry and Mildred Pullen, *The Opium Problem* (New York, 1928), 630.

²*New York Times*, December 8, 1924; U. S., Department of State, *Papers Relating to the Foreign Relations of the United States: 1913* (Washington, 1919), 183, 185.

problem, American efforts to achieve international agreement on halting the drug traffic increased. At the instigation of the United States twelve nations sent representatives to Shanghai in 1909 to map plans for a world wide assault on the narcotics business. This conference led, again on American initiative, to the calling of a broader conference at the Hague in 1911 which resulted in a strong declaration of principle but which failed to achieve an agreement satisfactory to the United States. As a result, the United States and the Netherlands called the Third Opium Conference, which also met at the Hague. Representatives from forty-three countries gathered in 1914, but this Conference failed, too, when the opium-producing countries of Turkey, Greece, and Serbia refused to be bound. The United States considered itself bound by the resulting treaty for the next seventeen years, however.³

At the Paris Peace Conference in 1919 the anti-drug forces, through the efforts of the American delegation, succeeded in including a provision in the final treaties which promised adherence by the signatory powers to the Opium Conventions of 1912 and 1914. In 1920 the League of Nations assumed supervision of the international opium trade, thereby relieving the Dutch government of the responsibility.⁴

The anti-drug crusaders remained unsatisfied with their victory. Narcotics still flowed between nations almost without hindrance. Within the United States reform forces, heartened by the enactment of national Prohibition, increasingly turned their attention to the elimination of the narcotics evil. Many of these reformers needed a new target for the outpouring of the psychological and moral energy which motivated them. Others had come to make their living as professional reformers, an oftentimes profitable career. In most the motivations were mixed, but whatever the motive, an attack on drugs had many attractions. Unlike the Prohibition controversy, narcotics control in the 1920's seemed to present a clear cut distinction between good and evil and avoided the messy Wet-Dry arguments. Typical was the progress of the most outstanding of these anti-narcotics crusaders, Richmond P. Hobson of Alabama.

³*Foreign Relations*, 1914, 924-925, 932-935; Raymond L. Buell, "The Opium Conferences," *Foreign Affairs*, III (July, 1925), 570-571; John Palmer Gavit, "New Chapter in the Opium War," *Survey*, LXI (October 1, 1928), 39-40.

⁴*Foreign Relations*, 1919, XI, 18, 19; *New York Times*, April 17, May 8, 1914; December 20, 1920.

Hobson's career began in Greensboro, Alabama, where he was born in 1870, on the family plantation, "Magnolia Grove," now a state historical shrine. Entering Southern University in Greensboro at an unusually early age, he went on to complete his education at the Naval Academy where he graduated at the head of his class. While at Annapolis Hobson's rigid insistence upon upholding the strict Academy honor code to the very letter caused him to be ostracized by the entire (or almost entire) student body for a period of two years. The incident has become legendary and shows the very strong moralism that Hobson was to exhibit throughout his life. Hobson was selected for postgraduate training by the Navy, a rare honor, and went on to a distinguished naval career as a naval architect. The Spanish-American War provided him a chance to achieve greater things. His futile, but incredibly heroic, attempt to scuttle the collier *Merrimac* across the entrance to Santiago Harbor and trap the Spanish fleet within catapulted him overnight into worldwide fame.⁵

Using his new found fame to further his career, Hobson left the Navy and became a leading, and eventually the leading, lecturer on the national Chautauqa circuits. In 1906 he entered politics and served in Congress as a representative of Alabama's Black Belt until 1914 when he was defeated in a race for the Democratic nomination to the Senate by Oscar W. Underwood. In his short congressional career Hobson managed to remain in the national spotlight and to become a very powerful politician. In fact, he became the leading advocate of the movement seeking to enlarge the U. S. Navy and was closely identified with Theodore Roosevelt and other leading navalists. He also emerged as the leading spokesman warning against the "yellow peril" of Japan and finally became the major Prohibitionist leader in Congress. The first constitutional amendment calling for national Prohibition was introduced into Congress by Hobson in 1913. Leaving politics, he devoted his energies to the Prohibition Movement in which he became one of the most effective (and best paid) propagandists.

As the Prohibition Movement began to fade, Hobson cast about for new crusades in which his reform zeal could be immersed. All of his adult life he moved from deep commit-

⁵Walter E. Pittman, "Richmond P. Hobson, Crusader", (Unpublished doctoral dissertation, University of Georgia, 1968), *passim*.

ment in one moral crusade to another. By this time, he was dependent for a living on the fees paid him as a lecturer.⁶ Thus, as the Prohibition fight lost its impetus, he turned toward narcotics as his issue. He became involved gradually, turning more and more of his attention to narcotics as the fight to dethrone "King Alcohol" lost some of its initial vigor. In both the Prohibition and narcotics campaigns Hobson emphasized the role of education and saw himself primarily as a propagandist. He said, "Education must precede reform," and believed that the function of a reform was to educate, and especially to educate the young.⁷ Although he sometimes emphasized the narcotics along with the alcohol peril, his first formal move in the new crusade came in 1920 when he was instrumental in having a small textbook for teachers written and distributed. It was not very successful.⁸

In 1923 Hobson turned to the anti-narcotics movement as his primary interest although he did not formally quit the Prohibition Movement until 1930. In Los Angeles on May 31, 1923, he incorporated the International Narcotics Education Association and was immediately elected President, a position he held as long as the organization existed. The purpose of the new, non-profit association was to coordinate public and private educational efforts aimed at the suppression of the narcotics trade. The preamble pledged that the new group would work "To educate the human race in the truth about alcohol, opium, morphine, heroin, cocaine and any other habit-forming drug."⁹

The new International Narcotics Education Association tried to start its efforts with a propaganda saturation attack on the nation's youth to be paid for by the public purse. Hobson urged Congress to send circulars (his) to every school and college in order to reach the 23,000,000 Americans then in educational institutions and thereby reach those who, in his view, were most susceptible to drugs. Forty-four state boards of education agreed to cooperate in this program of anti-dope

⁶*Idem.*

⁷*New York Times*, February 13, 1930; November 9, 1924.

⁸Lena B. Scott to Richmond P. Hobson, June 20, 1920, Richmond P. Hobson Papers (Library of Congress).

⁹Constitution, bylaws and incorporation papers, Hobson Papers; *New York Times*, May 3, 4, 5, 1923; November 9, 1924.

¹⁰"Portrait of Captain Richmond Pearson Hobson," *Literary Digest* LXXXI (May 24, 1924), 32.

training and Congress was asked to provide the necessary materials. Circulars outlining this plan were sent to every congressman.¹⁰ Hobson's scheme, which grew to include distribution of 50,000,000 copies of his pamphlet, "The Perils of Narcotics," gained some initial support in Congress, but it died abruptly when the Public Printer estimated the cost of paper and printing alone would exceed \$330,000. Hobson continued in vain to press for his measure for several years.¹¹

In addition to an education program against narcotics, Hobson and his fellow reformers strongly supported efforts for strict government control on the state, local, and national levels and pushed for more effective law enforcement, especially against dope smugglers.¹² During the 1924 presidential campaign Hobson attempted to get both major parties to commit themselves to a definite anti-narcotics position. In a talk with President Coolidge he urged such a plank for the Republican platform. Later he carried his fight to a successful conclusion at the Republican Platform Committee meeting in Cleveland.¹³ Following the same pattern with the Democratic party, Hobson, a delegate to the convention, saw to it that a strong anti-narcotics plank was inserted in that platform also. His unsuccessful efforts to end the famous deadlock at that convention also gained for him a short-lived "Hobson for President" movement among the weary but grateful delegates. Later, Hobson and delegation called upon the Democratic nominee, John W. Davis, to urge him to stress the anti-narcotics plank in his campaign.¹⁴

The main effort, as in the Prohibition fight, remained the constant cycle of speeches to various groups all over the nation. Hobson usually tried to schedule as many speeches as possible in a short time in any given area, thus increasing the effectiveness of his message by saturation and reducing expenses at the same time. He also had to devote time and attention to efforts toward the passage of enforcement laws and even to the mechanics of enforcement such as the safe shipment of drugs.¹⁵ These efforts of Hobson and his fellow reformers to cut off the domestic flow of drugs quickly revealed to them

¹¹*New York Times*, June 5, 1924; October 20, 1925.

¹²"Portrait of Captain Richmond Pearson Hobson," 32.

¹³*New York Times*, May 22, June 9, 1924.

¹⁴*Ibid.*, July 4, 5, 16, 22, 1924.

¹⁵Special Agent G. W. O'Keefe to the Secretary of the Treasury, October 28, 1926, Hobson Papers.

the international nature of the narcotics trade. Increasingly, they became convinced that international control must come before the illicit flow of narcotics could be stemmed within the United States. As a result, they began to turn their attention toward the international scene.

Outside American borders the reformers found other national reform groups in other countries facing similar problems, but all now looked toward the new world organization as a means to rid the world of the drug evil. After assuming guidance of the Hague Conventions of 1912 and 1914, the League of Nations undertook a more active role in controlling the international drug trade. In February, 1921, the League created the Opium Advisory Board to guide its efforts, but the United States, consistent in its policy of remaining aloof from the League, was the only nation which opposed centralization of this effort under the League.¹⁶ However, the American position of strict non-involvement toward the League of Nations had gradually been eroding. When the Secretary-General of the League formally invited the United States to take part in the League's drug suppression activities, the Secretary of State, Charles Evan Hughes, pledged that America would work toward that end and might even go so far as to attend League meetings. In fact, in August, 1923, American representatives attended the fifth meeting of the League assembly in a "consultative" capacity.¹⁷ The United States also sent delegates to a conference on opium sponsored by the League early in the summer of 1923.

The American delegation found little agreement among the nations represented at Geneva. The United States hoped to achieve a complete abolition of legal opium smoking and the limitation of drug production to medicinal and scientific requirements. Despite strong opposition from the drug-producing nations and weaker opposition from the drug-consuming or victim nations, and despite its own questionable legal status the American delegation succeeded in having most of its plan adopted by the Opium Advisory Committee and the League Assembly. However, as no enforcement machinery was created the American success was in principle, not in fact. The League

¹⁶*New York Times*, June 24, July 3, October 1, 1921; June 11, 1923.

¹⁷*Foreign Relations*, 1922, I, Part 2, 89-93; *New York Times*, May 4, August 24, 1923.

Assembly, noting American and other reform-oriented protests, did agree to another conference in 1924.¹⁸

The Second International Opium Conference convened at Geneva in November, 1924, and was deadlocked even before the tardy American delegation arrived. Worried by a growing tide of adverse world opinion, the Council of the League of Nations decided to intervene in the Opium Conference in an effort to get favorable action on the American demands.¹⁹ When the second phase of the Conference convened on January 19, 1925, the American position was strengthened further when Japan led the Oriental nations and twenty-eight small countries in supporting the American plans. As demanded by the United States, an Opium Control Board with investigating powers was agreed upon, but the composition of the Board created a new furor.²⁰ Frustrated by the well-organized opium bloc, American delegates first boycotted the sessions and then, after issuing an ultimatum, left Geneva.²¹ Other nations followed, and the conference collapsed. The American delegates claimed a moral victory by forcing the opium issue into the glare of publicity, but world opinion was not yet aroused to the point of demanding workable reforms.

To the anti-drug reformers the situation seemed critical, and they redoubled their efforts to educate a public that had now grown to world dimensions. In 1926 the International Narcotics Education Association, of which Hobson was president, conceived the idea for an international conference on

¹⁸"Narcotic Addiction as It Really Is," *Literary Digest*, XXVI (February 24, 1923), 34-35; K. K. Kawakami, "Three Opium Policies," *Outlook*, CXXXIX (February 21, 1925), 256-258; *New York Times*, May 3, 26, 27, June 3, 6, September 1, 2, 21, 1923.

¹⁹*Foreign Relations*, 1924, 93-96, 116-117; Ellen N. La Motte, "America and the Opium Trade," *Outlook*, CXXXII (January 3, 1923), 12; "Opium Conflict at Geneva", *Current History Magazine of New York Times*, XXI (January 1925), 587-593; "Deadlock at Geneva," *Nation*, CXX (February 4, 1925), 113-114; Ellen N. La Motte, "Americans Wouldn't Compromise," *Nation* CXX (May 6, 1925), 511-512; *New York Times*, November 4, 7, December 6, 12, 1924.

²⁰"International Events Review," *Current History Magazine of New York Times*, XXI (March, 1925), 968-972; "Deadlock at Geneva," *Nation*, CXX (February 4, 1925), 113-114; *New York Times*, January 20, 21, 22, 1925.

²¹*Foreign Relations*, 1924, I, 124-125; *New York Times*, January 23, 1925.

narcotics education. Government support was sought and Congress quickly approved the necessary appropriations.²²

The conference, held in Philadelphia in July, 1926, was primarily composed of American and foreign educators including representatives of several major universities. Among other groups represented were the American Legion, the American Chemical Society, Rotary Club (International), and the American Academy of Political and Social Sciences. For five days the delegates listened to a roster of speakers which included Robert Lansing, House Speaker Nicholas Longworth, Governor Gifford Pinchot, and General John J. Pershing. Hobson, in a violent, extemporaneous speech, charged that the government had suppressed documents which proved there were over 1,000,000 American addicts, a claim he had frequently made. The conference adjourned after passing the customary resolutions urging increased efforts at educating the public and in favor of more effective suppression of the illegal drug trade.²³

Educational efforts on a worldwide scale presented far graver problems than those of a reform crusade limited to the United States. Even the International Narcotics Education Association was in many ways inadequate to the task of world propaganda. To meet the new need Hobson, in 1927, founded the World Narcotics Defense Association and was elected president of that body. He immediately began to seek a \$5,000,000 endowment to carry his message to the world. Annual conventions were planned. The headquarters of the World Narcotics Defense Association remained in New York and, in fact, was the same as the International Narcotics Education Association. The World Narcotics Defense Association was organized on a regional basis; Hobson, in New York, was president, and there were regional vice-presidents, such as one for Latin America. The new Association was formed primarily to influence the diplomats in foreign countries and to convince them to accept American standards on drug controls at international conferences. The World Narcotics Defense Association was a creature of the International Narcotics Education Association with the parent organization footing the entire bill for the new operation.

²²*New York Times*, July 3, 1926; George Payne, *The Menace of Narcotic Drugs* (New York, 1921), 122; "Proposed World Conference on Narcotic Education," *School and Society*, XXI (June 27, 1925) 776-777.

²³"World Conference on Narcotic Education," *School and Society*, XXIV (July 17, 1926), 69; *New York Times*, June 9, 13, July 6, 8, 1926.

Hobson himself drew no salary from the World Narcotics Defense Association.²⁴

Hobson also carried his efforts beyond professional reform groups and won the support of the Interparliamentary Union and the Pan American Commercial Congress and in 1927 was instrumental in getting the National Education Association to agree to cooperate in the fight against narcotics. Civic clubs and churches provided ready audiences for Hobson's propaganda and were important sources of financial and political support. Annual Narcotic Education Weeks were inaugurated in 1928, and Hobson felt the Weeks were a stimulant to legislation.²⁵

Fund-raising for his organization occupied most of Hobson's time and attention. All possible sources were approached. Typical, but more generous than most, was the financial support regularly granted by the drug manufacturer and personal friend of Hobson, Josiah K. Lilly, who also was amenable to special appeals beyond his normally generous, regular contributions.²⁶ Other industrialists were less cooperative. Hobson attempted to interest Henry Ford in the narcotics struggle for over four years but failed to even obtain a personal interview with the automotive titan.²⁷

To try to alleviate the time-consuming problems of the hand-to-mouth existence caused by exclusive reliance on donations, Hobson tried to establish a longer term budgeting system. In November, 1929, he embarked upon a major two-month, fund-raising tour of the Midwest. His plans were to raise \$400,000 for a three year budget, thus allowing planning for the future and also freeing him to do something else besides seeking funds. His timing could not have been worse. The

²⁴"Annual Report of The World Narcotics Defense Association," November, 1921, Hobson Papers; "Summary of the Report on the Conference Held in Geneva 15-17 June 1931 of World Narcotics Defense Association," *ibid.*; *New York Times*, October 30, November 4, 1927.

²⁵S. M. Marrs, "A Call To Action," *National Education Association Journal*, XIX (April, 1930), 117; *New York Times*, August 31, December 17, 1926; March 24, 1927; December 3, 1929.

²⁶Richmond P. Hobson to Josiah K. Lilly, April 24, 1930; Josiah K. Lilly to Richmond P. Hobson, April 22, 1936; Hobson Papers.

²⁷Richmond P. Hobson to Mrs. Grizelda Hull Hobson, October 8, 1929; E. G. Liebold to Richmond P. Hobson, June 26, 1922; Richmond P. Hobson to E. G. Liebold July 13, 1933; Hobson Papers.

"Great Crash" dried up the sources of most donations,²⁸ but a portion of the financial difficulties of both World Defense Narcotics Association and International Narcotics Education Association must be attributed to Hobson himself. Nonetheless, money-raising, however essential, remained only part of Hobson's work.²⁹

His main work was endless speechmaking. Again and again Hobson stressed his themes: The final solution to the drug problem lay in education. The human race was "in a life and death struggle" with dope, and it must be won by guidance "taught from the pulpit, the screen, the state, the public platform, the press, and above all in the schools." Hobson warned that the 1,000,000 American drug addicts would soon become 2,000,000, then 4,000,000, unless, somehow, their increase were halted. The deputy Commissioner of the Bureau of Narcotics testily replied that there were only 100,000 American addicts and questioned other conclusions of the crusaders. Undaunted, Hobson traveled abroad to interest foreign governments in the narcotics program. His work was not unnoticed. Among the many plaudits was one from the Pope who congratulated Hobson on his ". . . noble crusade." Yet, even though America had long led the fight against dope, it could not solve its own problems while narcotics were so easily obtained abroad and so easily smuggled into the country.³⁰

The drug-producing nations had effectively stalemated any hope of reform by the League of Nations by packing the Opium Advisory Committee with their own representatives. The Commission rapidly became a mockery. Worldwide medical requirements necessitated production of an estimated fourteen tons of narcotic drugs annually, yet a single factory in Alsace

²⁸Richmond P. Hobson to Mrs. Grizelda Hull Hobson, November 19, 1926, Hobson Papers.

²⁹James M. Hobson to Major S. W. Brewster, November 10, 1931, Hobson Papers.

³⁰R. H. Lampman, "Heroin Heroes," *Saturday Evening Post*, CXC VII (September 20, 1924), 41; Louis Ruppel, "On the Narcotics Trail," *Current History Magazine of New York Times*, XL (May, 1924), 181-184; "America and the Opium Trade," *Outlook*, CXXXII (January 3, 1923), 12; *New York Times*, March 2, 1928; February 13, 1930; September 18, 1931.

produced over thirty-five tons.³¹ The World Narcotics Defense Association and Hobson put forth even more strenuous efforts to convert the League delegates to the cause of the anti-narcotics crusade.

Besides the regional branches of the Association a new related organization was founded at the seat of the League itself. The Geneva Center of International Relations was established to coordinate the efforts of the various reform elements. It was international in its makeup with an Italian, Senator Stefano Cavazzoni, the nominal head, and a Frenchman, Raymond Mage, as the actual moving force. However, the Geneva Center's budget came entirely from the World Narcotic Defense Association. Furthermore, Hobson quarrelled incessantly with Cavazzoni until the latter resigned. Mage reported to Hobson as a subordinate and actually seems to have been the man primarily responsible for representing the reformers before the League and for coordinating their efforts. The Center's primary purpose was lobbying among the League delegates to achieve limitation of drug production by international agreement according to the American plan of the earlier Opium Conference.³² The Center's international character was probably an effort to mute the role of the United States in the reform drive and, therefore, widen its international appeal.

Sentiment for effective international limitation of production grew among the nations represented at Geneva. Wong King Ky, the Chinese delegate to the twelfth meeting of the Opium Committee (1929), protested bitterly against the opium smuggling which victimized his nation and demanded that the great powers take action. The Spanish, Italian, and Venezuelan delegates raised such a commotion that the Council of the League had to take notice. It responded, and in May, 1930, a group of representatives from "victim" countries was appointed to the Opium Advisory Committee, literally swamping the opium bloc that had so long retarded progress. An international conference on narcotics was also called to meet in

³¹John Palmer Gavit, "Who Killed Cock-Robin? Scheme of Stipulated Supply," *Survey*, LXIII (December 1, 1929) 297-298; C. K. Crane, "A Step Toward Solution of the Narcotics Problem," *Nation*, CXXXIII (July 29, 1931), 98; Anthony M. Turano, "Punishment for Disease," *American Mercury*, XXVI (October, 1935), 207-215.

³²Raymond Mage to Richmond P. Hobson, November 7, 1931; January 5, 1932, Raymond Mage to Frederick H. Allen, November 14, 16, 1931, Hobson Papers.

December, 1930, and both the Council and Assembly of the League of Nations unanimously adopted resolutions demanding that production of narcotics be limited by the conference.³³ Hobson and the Geneva Center were instrumental in moving and shaping this wave of world opinion into international agreement. A successful campaign for drug limitation in the Latin American nations gained support among their delegations at Geneva. In Europe, Mage and the Geneva Center succeeded in winning over to the side of reform such powerful journalistic organs of opinion as France's *La Matin* and the *Popolo d'Italia* of Italy.³⁴

Under the full weight of public opinion even long-time opium-bloc nations began to restrict production in their territories. When the great International Conference on Narcotics finally met in 1931, the results were anticlimactic. The thirty-three assembled nations quickly agreed to limit production under the supervision of a central Opium Control Board which had the power to set crop limits in each nation. Factories to refine narcotics were also brought under League control. Later, the United Nations would assume the League's role in controlling drugs.³⁵ The Opium Convention was ratified April 10, 1933, and went into effect July 13, 1933.³⁶ Ratification by the individual nations proved slower.

Richmond P. Hobson, in recognition of his valiant efforts, was invited to address this climactic Geneva Conference which

³³Ellen N. La Motte, "Drugs at Geneva," *Nation*, CXXVIII (June 12, 1929), 702-704; *New York Times*, March 8, September 18, 1929; John Palmer Gavit, "Who Killed Cock-Robin? Scheme of Stipulated Supply," *Survey*, LXIII (December, 1929), 297-298; "Fight Against Opium," *Survey*, LXIV (July, 1930), 320; "Changed Brains: The International Opium Conference of 1931," *Survey*, LXVI (August, 1931) 445; "The League Strikes at Opium," *Survey*, LXIII (November, 1929), 152.

³⁴Raymond Mage to Frederick H. Allen, December 31, 1931, Hobson Papers.

³⁵Ellen N. La Motte, "Drugs at Geneva," *Nation*, CXXVIII (June 12, 1929), 702-704; Helen H. Moorehead, "The League Fights the Poppy," *New Republic*, LXIV (August 20, 1930), 12-14; United Nations, Conference on the Suppression of Opium Smoking, *Agreement and Final Act Signed at Bangkok, November 27, 1931*. (Lake Success, N. Y.: United Nations, 1947), 1-15; "Rising Tide of Narcotics Over World," *Literary Digest*, CXXI (May 16, 1936), 32; John Palmer Gavit, "Now Try This on your Armaments," *Survey Graphic*, XXII (June, 1933), 326-327; Henry T. F. Rhodes, "Smugglers: Illegal Manufacturing and Trade in Narcotic Drugs," *Living Age*, CCCLI (February, 1937), 523-528.

³⁶League Wins Narcotic Fight," *Literary Digest*, CXV (April 22, 1933), 7.

crowned the long decades of struggle by the anti-drug crusaders with victory. Urging "steadfastness . . . to insure permanent victory to mankind," Hobson pledged that he and his fellow reformers, "With God overhead . . . are prepared to serve and to fight." Recognizing his central role in the success at Geneva, President Franklin Roosevelt wired congratulations to Hobson for his long and successful exertions against narcotics.³⁷

The victory did not mark an end to Hobson's struggles against narcotics. In fact, the hardest years were ahead. Hobson had to fight desperately to keep his financially ailing organizations alive during the Depression, which dried up most sources of funds, while at the same time he tried to continue the propaganda efforts. The big struggle now was to get the nations of the world to ratify the Geneva Opium Convention and to strengthen the laws within the United States regulating the narcotics trade. The reformers had failed to acquire satisfactory state laws in most states by the time of Hobson's death in 1937; but by 1935 forty-one nations, including the major powers and the opium-producing countries, had ratified the pact made at the Geneva Convention.³⁸ The success proved illusory.

The hopes of the reformers had come about. The world had finally agreed on a basic system of international narcotics control. Much of the credit for the reform properly belongs to the group of reformers who led the propaganda efforts in its behalf and particularly to the foremost reformer, Richmond P. Hobson. Future years would show that the drug problem was not ending but rather was beginning and that the machinery so painfully fought for would prove hopelessly inadequate. Richmond P. Hobson, however, did not live to see his dream shattered.

³⁷Payne, *The Menace of Narcotic Drugs*, 129-130; Franklin D. Roosevelt to Richmond P. Hobson, July 8, 1933, telegram in Hobson Papers.

³⁸Hayne Davis to Richmond P. Hobson, February 17, 1934, telegram in Hobson Papers.

A SOUTHERN SEGREGATIONIST GOES TO GETTYSBURG

by

G. Allen Yeomans

Throughout the ninety-six-year history of the Memorial Day exercises at Gettysburg National Park, only four Southerners have delivered the annual Gettysburg Address. For forty-five years no Southerner was featured. Finally, in 1913 the Park Commission broke precedent and invited one of the South's most controversial segregationists. The writer has described and analyzed the speaker's racial views and the sentiment which greeted the Commission's choice as well as the success with which the speaker met his challenge.

The indomitable Massachusetts Senator George Frisbie Hoar once said: "A town, or city, or state is very human. . . . As events pass, it must pronounce its judgment. Its constant purpose must be fixed and made more steadfast by expression."¹ Acknowledging this need for tying the past to the present, the Gettysburg National Park Commission for ninety-six consecutive years sponsored one of this nation's significant commemorative occasions, the Memorial Day exercises at Gettysburg National Cemetery.²

Commencing with the 1868 address delivered by the Reverend James A. Brown of Gettysburg, the list of ninety-six Memorial Day orators comprises an impressive array of Americans. Included are former presidents Theodore Roosevelt, Calvin Coolidge, Herbert Hoover, and Franklin D. Roosevelt; vice-presidents Charles Curtis and Lyndon B. Johnson; thirteen governors; and prominent legislators and statesmen such as Michigan's Arthur Vandenberg, Virginia's Harry Byrd, Ohio's Robert Taft, and Minnesota's Harold E. Stassen. In addition, several outstanding military leaders and clergymen have spoken at the exercises.³

¹William Morwood Brigance, *Speech Composition*, second edition, New York, 1953, 312-313.

²Thomas J. Harrison, Chief Historian of the United States Department of the Interior, National Park Service, to author, January 30, 1967.

³Roster of Memorial Day speakers at Gettysburg, National Park Service, United States Department of the Interior.

For forty-five years, from 1868 through 1912, no Southerner had ever been invited to deliver the Memorial Day address.⁴ Whether or not the agency responsible for issuing the invitation, the Gettysburg National Park Commission of the War Department,⁵ had deliberately excluded southern orators from its invitations is not clear. In any event, the official records clearly indicate such an exclusion.⁶ However, in 1913 the Commission provoked a storm of controversy when it broke precedent and invited one of the South's most colorful, flamboyant, and controversial figures, James Thomas Heflin of Alabama.

After a succession of elective offices in local and state politics, Heflin had been elected to the United States Congress from Alabama's Fifth Congressional District in 1904.⁷ Soon after his arrival in Congress, Heflin acquired a national image through his flamboyant manner of dress,⁸ bombastic style of speech,⁹ widespread and successful campaign speaking for the national Democratic party,¹⁰ and his increasing popularity as a ceremonial speaker.

To catalog Tom Heflin's ceremonial speaking is a task of no small proportions. From the time he first entered public service until his death half a century later, Heflin spoke at a variety of special occasions, including commencements, cornerstone laying ceremonies, benefits for Confederate monuments, Confederate Veterans' Reunions, national holidays, centennial celebrations, and a wide variety of other similar events.¹¹ In

⁴*Ibid.* Among the many newspaper stories regarding the choice of Heflin as the first Southerner at Gettysburg were those appearing in the *Washington Post*, May 31, 1913; the *Washington Times*, May 30, 1913; the *New York Times*, May 31, 1913; and the *St. Louis Globe Democrat*, May 31, 1913.

⁵Typewritten copies of official directives, Heflin Papers, University of Alabama Library, Tuscaloosa.

⁶Roster of Memorial Day speakers.

⁷Register, Heflin Papers, p. 4.

⁸G. Allen Yeomans, "A Rhetorical Study of the Cotton Advocacy of James Thomas Heflin, 1904-1920" (unpublished doctoral dissertation, Louisiana State University, 1966), 46-50.

⁹*Ibid.*, 97-100.

¹⁰Between the years 1908 and 1920, Heflin campaigned extensively for the national Democratic Party's Speakers' Bureau in presidential, gubernatorial, and congressional elections. *Ibid.*, 66-76.

¹¹Heflin Papers, *passim*; Heflin Microfilm Collection, Howard College Library, Samford University, *passim*.

addition, Heflin gave popular lectures repeatedly on such topics as "Down in Dixie,"¹² "The Ideal Woman,"¹³ "The Grand Creation,"¹⁴ "Our Heritage in the South," and "The South and a Reunited Country."¹⁵ Many of these were repeated several times.¹⁶

Heflin's reputation as a ceremonial speaker earned him invitations to a number of important events. For instance, on June 12, 1909, he spoke to a large audience of Confederate Veterans at Front Royal, Virginia, on the occasion of the birthday of Jefferson Davis.¹⁷ Invited by the New York mayor, on February 12, 1909, the Alabamian addressed the Lincoln clubs of New York City comprising an audience of more than two thousand.¹⁸ On July 3, 1909, back in his own home state, Heflin spoke at Horse Shoe Bend to an estimated audience of ten thousand commemorating the famous battle between the Creek Indians and American troops under Andrew Jackson. Having introduced the bill in the House to make Horse Shoe Bend a national park, Heflin as the Fifth District Representative delivered the main oration of the day.¹⁹ In 1910, Heflin was addressing the United Daughters of the Confederacy at their Washington home on Vermont Avenue.²⁰

In Congress two of the Alabamian's most widely acclaimed ceremonial addresses were his endorsement of the Lincoln Memorial and his introduction of a bill making Mother's Day a national holiday.²¹

By 1913 Heflin was hailed as one of the most skilled ceremonial speakers in Congress. Speaker Champ Clark appointed him to head a delegation of twelve Representatives to attend

¹²Among several audiences to hear this address was the Mount Pleasant Congregational Church, a popular suburban church of Washington. Unidentified clipping, Washington, February 13, 1905, Heflin Papers.

¹³Anderson *Daily Mail*, November 8, 1913. Same speech delivered at Niagara Falls, New York, a short time earlier.

¹⁴Opelika *Daily News*, April 19, 1905.

¹⁵Unidentified newspaper clipping, 1907, Heflin Papers.

¹⁶Heflin Scrapbooks, Heflin Papers.

¹⁷Birmingham *Age Herald*, June 14, 1909.

¹⁸Undated clipping, Lafayette *Sun*, Heflin Papers.

¹⁹Montgomery *Advertiser*, July 4, 1909.

²⁰Birmingham *Age Herald*, June 5, 1910.

²¹Clipping from *Congressional Record*, January 29, 1913, Heflin Papers; excerpts from *Speeches in Congress, 1904-1920, Hon. J. Thos. Heflin* (Washington, 1920), 17.

the unveiling of a monument to Thomas Jefferson in St. Louis, April 30, 1913. Heflin made one of the principal addresses.²² At Rockville, Maryland, he delivered what was acclaimed as the "most eloquent address ever delivered in that county" at the unveiling of a monument in memory of Confederate veterans.²³ The *Staunton Virginia Daily Leader* called the Alabamian "one of the most able talkers in the House of Representatives, his eloquence winning him the title of 'the sweet singer of Congress'."²⁴ West Virginia's John W. Davis alleged that "in Congress Heflin was without a peer as a speaker," and added that there were "few men in the United States who could make a better impression and hold the attention of his audience more perfectly than he." Continued Davis:

When he gets on the floor we expect something. In the gallery the word goes around that Heflin is about to speak. Everybody becomes attentive. The newspaper boys chatting in the ante-room hasten back to their desks.²⁵

Against a background of widespread acclaim it is not so surprising that Heflin became the first Southerner to deliver the annual Gettysburg Memorial Day Address. Even so, as stated above, his choice provoked a storm of controversy. For, although Heflin had been acclaimed all over the country for his excellence as a ceremonial speaker, his reputation as a staunch advocate of white supremacy was equally well known. The Boston *Transcript* declared that Heflin's views on the Negro question should "disqualify him for the office of delivering the Gettysburg address."²⁶ The Charleston, South Carolina *News and Courier* lamented: "The nomination from the South of a ranting Negrophobe is to be condemned. A more unfortunate choice could scarcely have been made." The Rochester *Chronicle* cried that the "presence of such a man at the Gettysburg Reunion will make the occasion a mockery. It continued:

The protests made in many northern newspapers against the selection of Representative Heflin of Alabama as the Gettysburg Memorial Day orator are being echoed in several southern papers, which recognized the force of

²²Birmingham *Age Herald*, April 9, 1913.

²³Rockville, Maryland *Sentinel*, June 6, 1913.

²⁴Staunton, Virginia *Daily Leader*, June 9, 1913.

²⁵Birmingham *Age Herald*, August 3, 1913.

²⁶Quoted in the Macon *Georgia News*, May 20, 1913.

the objections made. One point that has not been made clear in the discussion is, who was responsible for the choice of Representative Heflin in the first place. Whoever it was failed to take into account the fact that in the North he is known principally for his rabid utterances against Negroes.²⁷

Numerous newspapers, particularly in the South, defended the choice of the Alabamian. Typical of their defense were the remarks of the *Macon, Georgia News* which declared that as "a southern gentleman above all else," Heflin would "purposely avoid any utterance on May 30 that would bring discredit on himself or reflect on the South." The *News* continued:

While Heflin has expressed rather strong views at times, he has nevertheless shown other characteristics in his demeanor in Congress which are commendable in nature. But even though he be a fire eating Alabamian, the fact that he is desired by the *Gettysburg Post* for an honor which was once so memorable filled by Lincoln, is only more proof that the breach opened in the '60's has long since healed.²⁸

Other newspapers of this period attest to the controversy triggered by the selection of Heflin.

What were the factors which had contributed to Heflin's national image as an ardent advocate of white supremacy. Actually his reputation had preceded him to Washington. His position on the question of race relations was first called to attention during the Alabama Constitutional Convention of 1901 when Heflin was one of its more prominent young delegates.²⁹ During that convention's prolonged debates over the franchise of Alabama Negroes, Heflin repeatedly made clear his position in the matter, declaring:

I believe as truly as I believe that I am standing here that God Almighty intended the Negro to be the servant of the white man. I believe that the Scripture will sustain

²⁷*Rochester Chronicle*, May 23, 1913.

²⁸*Macon Georgia News*, May 20, 1913.

²⁹Claiming the distinction of being the youngest member of the powerful Rules Committee, the Convention's most important committee, Heflin was also named to two other convention committees. *Montgomery Advertiser*, June 2, 1901.

my position on that question. I know he is inferior to the white man and I believe the delegates to this convention believe him to be. He knows it himself.³⁰

Thus, in behalf of total disfranchisement of the Negro, Heflin spoke the "idiom of the new era,"³¹ prophetic of what characterized many of his later addresses in the United States Congress, and he called on the Convention to adopt the "grandfather" clause which it did by a vote of 104 to 14.³² Press clippings indicate that the bitter fight over the question of the Negro vote escaped neither regional nor national attention.

The attention of the national Democratic Party was also directed towards Heflin over a racial matter. This occurred while Heflin was campaigning in Alabama for his first full term of office in the House, in 1904.

During the first month of his presidency, Theodore Roosevelt enraged many Southern whites by inviting Booker T. Washington to dinner at the White House.³³ In *Origins of the New South*, Woodward reports:

The reaction to Booker Washington's dinner at the White House in the first month of Roosevelt's presidency was startling in its violence, even in a day of high-pitched racial propaganda. No amount of Federal offices for respectable Gold Democrats—including one for a grandson of Stonewall Jackson and another for a son of Jeb Stuart—seemed to allay the rancor it aroused. John Temple Graves declared that Roosevelt had "destroyed the sectional peace and fraternal harmony which McKinley builded," and a New Orleans editor called him "the worst enemy to his race of any white man who has ever occupied so high a place in this republic."

Washington's own reaction to the public clamor over the event was one of shock, dismay, and surprise. Writing about it a few years later, the Negro recalled:

³⁰*The Official Proceedings of the Constitutional Convention of the State of Alabama* (Wetumpka, Alabama, 1940), III, 2841.

³¹C. Vann Woodward, *Origins of the New South 1877-1913* (Baton Rouge, 1951), 339.

³²Albert B. Moore, *History of Alabama* (Tuscaloosa, 1951), 655.

³³Woodward, *Origins of the New South*, 464.

When I reached New York the next morning I noticed that the New York *Tribune* had about two lines stating that I had dined with the President the previous night. That was the only New York paper, so far as I saw, that mentioned the matter. . . . My surprise can be imagined when, two or three days afterward, the whole press, North and South, was filled with dispatches and editorials relating to my dinner with the President. For days and weeks I was pursued by reporters in quest of interviews. . . . Some Newspapers attempted to weave into this incident a deliberate and well-planned scheme on the part of President Roosevelt to lead the way in bringing about the social intermingling of the two races. I am sure nothing was further from the President's mind than this; certainly it was not in my mind.³⁴

Heflin's earlier proclamation for White Supremacy, recited at the 1901 Alabama Constitutional Convention and again in 1903 in his Turner Peonage Case speeches made him one of Alabama's leading spokesmen on that issue. Thus, he wasted no time getting on the "bandwagon." He arranged a campaign speech for October 3, 1904, in Washington's home town, Tuskegee, Alabama. To whet the appetites of his Fifth District supporters, Heflin, while en route to Tuskegee, managed a large-sized altercation with his Republican opponent, Walker, who, while campaigning in Heflin's home county, had castigated him. As the two candidates waited for a train change at Opelika, Heflin demanded that Walker retract these charges. When Walker refused, Heflin knocked him down and the two men had to be pulled apart.³⁵

Exhilarated over his encounter with Walker, Heflin arrived in Tuskegee in fighting trim. Before an audience, "large and representative of the people of the county," Heflin emptied a double-barrelled salvo at Roosevelt's alleged catering to Southern Negroes. Saving his heaviest artillery for the incident of Washington dining at the White House, Heflin roared:

There they sat, Roosevelt and Booker; and if some Czolgosz or one of his kind, had thrown a bomb under the

³⁴Booker T. Washington, *My Larger Education* (Garden City, 1911), 175-177.

³⁵Montgomery *Advertiser*, October 3, 1904.

table, no great harm would have been done to the country.³⁶

The next day, the *Montgomery Advertiser* scored Heflin for his "indelicacy," and warned Fifth District voters that it hoped they would "realize the blunder that was made in his nomination."³⁷

Early Heflin scrapbooks include undated clippings from newspapers from all over the country, objecting to Heflin's Tuskegee speech.³⁸ In an editorial entitled "Heflin Should Retire," the *Washington Star* commented: "It is impossible to think that Mr. Heflin is able to render his constituents in Congress any service now." Republicans were enraged; Democrats were worried. An insurance agent from Goodwater, Alabama, who had been campaigning for Heflin wrote:

If you could arrange for an appointment to speak to the voters of Goodwater and vicinity in the near future, I believe it would be to your advantage as well as to the Democracy here. I have heard no little adverse criticism of your Tuskegee speech. . . .³⁹

A Mobile attorney worried that Heflin's Tuskegee speech might be used in some way to prevent the Fifth District Representative from being seated once he has already won his campaign.⁴⁰

Subsequently, after the newspapers in and out of Alabama had made much of his Tuskegee attack, Heflin wrote to the editor of the *Montgomery Journal* and avowed that he had no apology to make.

Using the Tuskegee speech as a springboard for his "White Supremacy" campaign, Heflin increased the tempo of his attack on Roosevelt, Booker T. Washington, and the Republican Party efforts to "equalize Negro rights." In major campaign addresses before large Alabama audiences at Camp Hill and Alexander City he lauded the Democratic Party as the "party

³⁶LaFayette Sun, October 12, 1904.

³⁷Montgomery Advertiser, October 4, 1904.

³⁸Scrapbooks 6 and 7, Heflin Papers.

³⁹T. J. Arnold to Heflin, October 8, 1904, Heflin Papers.

⁴⁰Edward M. Robinson to Heflin, November 11, 1904, Heflin Papers.

of the people" and the "open enemy of extravagance and oppression in governmental affairs," hotly condemned Booker Washington's "interference with the politics of the South," and affirmed the alleged Democratic Party's belief that "the white man is God's chosen instrument to rule the earth."⁴¹ Evidently Heflin's audiences liked what they heard. He polled the largest majority ever given by Alabama's Fifth District.⁴² Of greater import, however, was the national attention which the stormy campaigner drew to his intemperate remarks.

In Maryland, the boss of the Democratic Party, Senator Arthur P. Gorman, had been having some difficulty in keeping some of the white voters of the state. Believing reports that Heflin's campaigning might help the Maryland Democrats, Gorman invited the young Congressman to Baltimore.⁴³ He persuaded Heflin to campaign for the Democrats in Maryland. The Alabamian accepted the invitation, and he so pleased Gorman that he was asked to deliver several campaign addresses throughout the state. Moreover, he was invited back in the following year, 1907, and subsequently became a favorite in that state.⁴⁴ Heflin's Maryland campaigning soon led to the National Speaker Bureau's tapping him for Democratic Party campaign work throughout the country.

In the meantime, back in Washington one of Heflin's early first-term discoveries was that the District of Columbia had no segregated streetcars. Consequently, the Alabamian was quick to introduce a number of Jim Crow bills designed to rectify that situation. Unsuccessful in getting these passed, Heflin sought to tack on to a trackage bill an amendment to segregate streetcars. This, too, was defeated by a vote of 104 to 57 with all affirmative votes being cast by Democrats and all negative votes by Republicans.⁴⁵ That Heflin's efforts to segregate the Washington streetcars attracted widespread attention is evidenced by the volume of correspondence he received from citizens all the way from New York to Texas. Likewise the newspapers gave the subject much attention. The

⁴¹Montgomery *Journal*, October 17, 1904.

⁴²See all November, 1904 issues, *LaFayette Sun*; O. H. Stevenson, Editor, *Roanoke Leader*, to Heflin, November 14, 1904, Heflin Papers.

⁴³John W. Owens, "Tom Heflin," *The American Mercury*, XII (September-December, 1927), 272.

⁴⁴*Baltimore Sun*, April 22, 1907.

⁴⁵*Atlanta Journal*, February 23, 1908.

Houston *Post* commented: "Of course there was not the slightest chance for the adoption of any Jim Crow amendment in Washington . . . but every member of Congress knows that if there was ever a community that needed such a law, Washington is the place."⁴⁶ The *Atlanta Journal* charged that it was "evident to everyone that the Republicans' interest in the Negro just now is due entirely to the approaching presidential and congressional elections," but it lamented that the "agitation precipitated by the Heflin Amendment is regarded as extremely unfortunate for the Democrats," since it offered the "Republicans an opportunity to make a show of friendship for the brother in black."⁴⁷

The president of the East Brookland Citizens' Association of Brookland, D.C., contacted Heflin to convey that association's official endorsement of his proposal for "separate street cars," adding that the members of the association "sincerely hope that you will be successful in getting this enacted into a law as soon as possible."⁴⁸

By 1912, the year President Theodore Roosevelt delivered the annual Memorial Day address at Gettysburg,⁴⁹ James Thomas Heflin had become widely recognized as a fiery and colorful spokesman for white supremacy. It is not surprising, therefore, that when the 1913 Gettysburg invitation was issued to a man who had so consistently opposed the racial views of the preceding year's speaker, a storm of controversy should follow. Heflin's widespread popularity as a ceremonial speaker made his choice no less controversial. Thus an exciting stage was set for the South's first representative at Gettysburg, in its 45-year history of prominent Memorial Day speakers.

Among the estimated ten thousand people gathered at the 1913 ceremony to hear Heflin bring "a message of a reunited country,"⁵⁰ there were a large number of his colleagues along with Capitol residents who had accompanied the Alabama orator on a specially chartered train from Washington to Gettysburg.⁵¹

⁴⁶*Houston Post*, February 25, 1908.

⁴⁷*Atlanta Journal*, February 23, 1908.

⁴⁸Charles McCauley to Heflin, May 7, 1906, Heflin Papers.

⁴⁹Roster of Memorial Day Speakers.

⁵⁰*Congressional Record*, 63rd Congress, 1st Session, L (Part 2), 1861.

⁵¹*Washington Times*, May 30, 1913.

Using as the keynote of his address fifty years of internal peace and the gradual elimination of sectional lines, Heflin discussed the "hardships and suffering" of the founding fathers, the triumph of the War of 1812, the issues involved in the War Between the States and the "ever lasting union" which had been "cemented," the "unity of North and South in this nation's war with Spain," and the need for continued national unity and goodwill which transcends sectional lines.⁵² At no point in the address did the Alabamian touch upon or reflect his views on race or race relations.

In contrast to the controversy which his invitation had provoked Heflin's message seems to have evoked widespread praise and newspaper reports which were generally laudatory in nature. The Griffin, *Georgia News* held the address to be "broad, patriotic, and brilliant" and concluded that the effort "proved that no error was made in selecting for the first time a southern man for that great honor."⁵³ The *Washington Post* stated: "Standing on historic Gettysburg, and bringing a message of reunited country, Representative Thomas Heflin of Alabama today paid eloquent tribute to the heroism of the men who wore the blue and the gray."⁵⁴ The headlines of the *New York Times* read, "Southern Congressman Brings Eloquent Message of Good-will."⁵⁵ The *Washington Times* ran a two-column picture of Heflin, along with a two-column story caption, "Heflin Brings Good Will of the South."⁵⁶ The *Mobile Item* declared that Heflin's address was not only the "first address ever delivered by a southerner at the Gettysburg Memorial Day exercises," but that it was also "one of the most notable of that occasion."⁵⁷ William B. Bankhead, brother of the man who was later to unseat Heflin in the Senate, wrote congratulations to Heflin and added: "We are proud of Alabamians that can deliver the goods, and you met our fullest expectations on Memorial Day."⁵⁸

The Gettysburg National Park Commission of the War Department printed and bound Heflin's speech and placed it

⁵²*Congressional Record*, 1st Session, L (Part 2), 1861-1862.

⁵³Clipping from Griffin, *Georgia News*, June 3, 1913, Heflin Papers.

⁵⁴*Washington Post*, May 31, 1913.

⁵⁵*New York Times*, May 31, 1913.

⁵⁶*Washington Times*, May 30, 1913.

⁵⁷*Mobile Item*, May 31, 1913.

⁵⁸Bankhead to Heflin, May 31, 1913, Heflin Papers.

in the library of the Department, and by unanimous action the House of Representatives ordered that the "able, eloquent and patriotic speech" be printed in the *Congressional Record*.⁵⁹

That the Gettysburg occasion's first Southern orator won widespread acclaim in the face of a storm of protest against his selection is amply demonstrated. Heflin's selection as Gettysburg's first southern orator is made more singular by the fact that in the succeeding 50 years only three other southerners were invited. They were William D. Upshaw of Georgia, in 1924; Senator Harry F. Byrd of Virginia, in 1939; and Vice-President Lyndon B. Johnson of Texas, in 1963.⁶⁰

⁵⁹Typewritten copies of directives, Heflin Papers.

⁶⁰Roster of Memorial Day Speakers.

MASKED MEN IN THE MAGIC CITY:
ACTIVITIES OF THE REVISED KLAN IN BIRMINGHAM,
1916-1940

by

William R. Snell

On Thanksgiving Eve, 1915, a group of men scaled the heights of Stone Mountain, Georgia, lighted a fiery cross, and revived the Ku Klux Klan. Their leader, William J. Simmons, born in Harpersville, Alabama in 1880, little realized the influence this act would exert upon his native state or its largest city. At the time masked men were invading the Magic City, it was in the process of changing from a large town to a thriving city.¹

Unsuccessful in the Methodist ministry, Simmons turned his interests to the numerous fraternal organizations he had joined. While recuperating from a car accident, he projected a fraternal organization patterned after the romantic image of the Reconstruction Ku Klux Klan. It was not until the 1920's, however, that the movement grew significantly. Conceived at a time when clubs of all types thrived and flourished, its secrecy and elaborate ritual appealed to many who felt lost in the masses; its colorful pageantry attracted numerous members and sympathizers. It was similar in many ways to other fraternal orders of the day in that it was dedicated to what its members believed was one hundred per cent Americanism, the supremacy of the Caucasian race, and Protestant religious tenets and morals.²

By 1920 the Klan had enrolled about five thousand members, most of whom were in Georgia.³ From Georgia the organization spread to Alabama, Florida, and other southern

¹This article is based upon the author's thesis "The Ku Klux Klan in Jefferson County, Alabama, 1916-1930" (Samford University, 1967), and an article "Fiery Crosses in the Roaring Twenties: Activities of the Revised Klan in Alabama, 1915-1930," *The Alabama Review*, XXIII (October, 1970), 256-276. Appreciation is expressed for kind permission to quote from portions of the article.

There is disagreement about the birthdate of Simmons; others indicate 1882.

²David M. Chalmers, *Hooded Americanism, The First Century of the Ku Klux Klan, 1865-1965* (Garden City, 1965), 28-38. See also Arthur S. Rice, *The Ku Klux Klan in American Politics* (Washington, 1962), 14-16.

³Chalmers, *Hooded Americanism*, 28-38. See also Francis B. Simkins, "Ku-Klux Klan," *The American Encyclopedia* (New York, 1964), XVI, 549-551.

states. In 1916, less than a year after the Invisible Empire was revived, Simmons had organized the Robert E. Lee Klan, No. 1 (Birmingham), the first Klavern (local unit) in Alabama and evidently the second in the nation. Bessemer Klan, No. 2 and Montgomery Klan, No. 3 were soon organized. As was true nationally, these groups grew very slowly during their early years,⁴ but Simmons promoted the organization tirelessly and his efforts began to pay dividends. In 1918 a writer for the *New York Times* gave a somewhat romantic but favorable account of the organization's activities relating to labor unrest in Mobile and Birmingham, claiming that the influence of the Klan was used to avert labor problems in both cities.⁵ The Klan's zeal for order and stability was so great by 1919 that it demanded greater police action against the criminal elements in Birmingham.⁶

In 1921, a year of rapid growth for the Klan, from 600 to 1,000 members staged the first publicly witnessed initiation ceremony in Klan history. Klansmen from throughout Alabama and the South converged on the Magic City to celebrate the fifty-fourth anniversary of the initiation of General Nathan Bedford Forrest, Imperial Wizard of the Reconstruction Klan. Early on a cold, wet January evening in 1921 Klansmen's automobiles were parked in downtown Birmingham. By seven o'clock the cars began to move toward the Alabama State Fairgrounds, where twenty-one horsemen guarded the site. At eight-thirty cars were admitted to the park and aliens, as the non-initiated were called, given last minute instructions.

Robed Klansmen formed a living cross in the center of the race track. Each man held a light, making a white shaft and a red crossbar. At the base of the cross was the white clad throne for the Imperial Wizard whose goregous purple robe was the "sole relieving note in the monotony of white." Surrounding the cross and throne were a thousand robed and masked Klansmen.

More than 500 initiates who were to be naturalized were marched four abreast from the grandstand. "To the strains of weird music" the neophytes marched to the throne where they took their oath, and knew that the Klan meant business. These

⁴Chalmers, *Hooded Americanism*, 78-84; Rice, *American Politics*, 14-16.

⁵*New York Times*, September 1, 1918. See also Charles C. Alexander, *The Ku Klux Klan in the Southwest* (Lexington, 1965), 6.

⁶Rice, *American Politics*, 6.

men who worked behind desks, in the steel plants, and in the city's stores, demonstrated, "that the best citizens of Birmingham are connected with the Klan." Members in the Birmingham Klan owned 200 automobiles, most of which were present that night and which were "at the disposal of the Klan at all times."

The ceremony, described as the "greatest since the founding of the new organization of the Klan," was watched by a curious public. Newsmen were permitted to stand on a housetop inside the fairgrounds, but guards prevented a closer view. The public in some numbers watched the ceremony "from the hills around the grounds in spite of the very cold weather."

Three writers presented different aspects of the ceremony but were unanimous in the sympathy or respect for the organization and were obviously moved with the ritual. Simmons and his new associate Edward Y. Clarke were praised for their "excellent management" of so large a group and undertaking.

Officials did not claim any credit for the success of the event. "The celebration last night was not held publicly for any glory that the Klan might receive from it, but to let the public know that they are here, that they were here yesterday, and that they will be here forever."

The presence of the Klan was further demonstrated in 1921 by a parade from Birmingham to Bessemer and in a number of acts of violence, mostly floggings.⁵ In this atmosphere the Rev. James E. Coyle, pastor of Alabama's largest Roman Catholic parish, St. Paul's, Birmingham, was fatally wounded by an itinerant Methodist minister, E. R. Stephenson. Having no pastoral charge, Stephenson performed numerous marriages in the courthouse and was known as the "Marrying Parson." Among the fraternal organizations to which he belonged was the Ku Klux Klan. Carrying a pistol, the minister had gone to the rectory to search for his only daughter, Ruth, who had recently become a Catholic and married a Catholic, Pedro Gussman, in a ceremony performed by Father Coyle. Admitting that he fired the shot, Stephenson was charged with second-

⁵*New York Times*, January 28, 1921; *Birmingham Post*, January 28, 1921; *Birmingham Age-Herald*, January 27, 28, 1921.

⁶*Birmingham Age-Herald*, June 14, July 23, 24, 25, 27, August 2, December 20, 1921; *Birmingham News*, June 14, July 24, 1921; *Birmingham Post*, June 13, 14, 1921.

degree murder and jailed without bond. His lawyers, Hugo Black and Crampton Harris, entered pleas of "not guilty" and "not guilty by reason of insanity."

The widely publicized trial of Stephenson opened on October 17, 1921, while hundreds of would-be spectators were turned away from the filled courtroom. Five witnesses for the state testified that Father Coyle had offered no resistance and that no struggle preceded the shooting. On cross-examination attorney Black elicited statements from two of the prosecution witnesses that they were Catholics and one of them had had his expenses paid to return to Alabama to testify.⁹

After deliberating two hours, the jury, composed of a majority of Klansmen, reached a verdict of not guilty. Judge William E. Fort, in dismissing the jury, said, "I believe you have done your best."¹¹

As sensational as this trial had been, it was soon replaced by public interest in the fiftieth birthday of the Magic City. President Warren G. Harding was the featured guest for the festivities. To honor the President the *Birmingham Age-Herald* ran a special front page of the Marion (Ohio) *Daily Star* of which Harding was editor and proprietor. This gesture pleased the President and his lady, who in turn pleased Birmingham with their presence for the celebration. Before a segregated audience in Woodrow Wilson Park, the chief executive touched briefly on another community prejudice stating that mixing of the races can never occur.¹²

When Simmons' recruitment efforts were not so successful as he had hoped, Edward Y. Clarke and Mrs. Bessie Tyler, both professional publicity agents, inaugurated a nationwide canvass for members. At the same time two efforts to frustrate the Klan had quite the opposite effect: A hearing by the House Rules Committee in October, 1921, and, in the same year, a series of articles in the *New York World* attempted to expose the secret order. These gave it nationwide publicity

⁹*New York Times*, August 12, 1921; *Birmingham News*, September 7, 1921.

¹⁰*Birmingham News*, October 17, 1921.

¹¹*Ibid.*, October 12, 1921; *Birmingham Age-Herald*, October 22, 1921; *New York Times*, October 22, 1921. Interview with Mr. James Esdale, former Grand Dragon of Alabama, and owner of Bail Bond Company, 809 21st Street North, Birmingham, Alabama, June 15, 1967.

¹²*Birmingham News*, October 26, 1921; *Birmingham Age-Herald*, October 26, 1921.

and resulted in increased membership which was largely middle class and cross-sectional. Contrary to general belief, the Klan was not primarily a small-town and rural phenomenon.¹³

Enjoying national publicity, Imperial Wizard Simmons decided to launch a recruitment drive in the Birmingham area. In an open letter he charged that the Klan's enemies "have attempted to lynch the Ku Klux Klan by discrediting it in the eyes of the public before it had a chance to defend itself, to state its case, or to obtain a fair and impartial hearing." He appealed for a chance for his fledgling organization to prove itself and presented it as an underdog struggling for life.¹⁴

At the same time that the Klan was seeking public sympathy, others sought to discredit the organization. After several alleged acts of violence the Birmingham Bar Association and others sought to prohibit masked parades and curb Klan activities. A committee was appointed to work with the five city commissioners, and a proposed ordinance was drafted which would have prevented appearance of masked persons on the streets or in public places. Representatives from the interested groups, including Klansmen, were present for the discussion. After a stormy, three-hour session, the ordinance was defeated, but another, making it a misdemeanor to lure a person from home for unlawful purposes, passed unanimously. The Bar Association voted to continue its efforts and the League of Women Voters proposed questionnaires for the candidates in that year's elections. Their efforts met with little success.¹⁵

In October, 1922, a large number of Klansmen naturalized 700 aliens at a public service at Dixie Flying Field while approximately 400 curious spectators watched from a short distance away. Jack Freeman, the reporter for the *Age-Herald* called it the "most gigantic naturalization" ever witnessed in Alabama.¹⁶ A month later, an unscheduled parade was com-

¹³John Moffatt Mecklin, *The Ku Klux Klan: A Study in the American Mind* (New York, 1963), 96-109. See also Carl N. Degler, "A Century of the Klans: A Review Article," *Journal of Southern History*, XXXI (November, 1965), 439; and Kenneth T. Jackson, *The Ku Klux Klan in the City, 1915-1930* (New York, 1967).

¹⁴*Birmingham News*, October 26, 1921.

¹⁵*Birmingham Age-Herald*, May 31, June 2, 3, 6, 7, 12, 14, 1922; Birmingham Bar Association, Minutes, May 25, 29, 1922.

¹⁶*Birmingham Post*, October 24, 1922; *Birmingham News*, October 24, 1922; *Birmingham Age-Herald*, October 24, 1922.

posed of 400 Klansmen, in automobiles, who gathered at Avondale Park and entered the city via the tunnel under the Terminal Station. Mystery surrounded the event since the "mission and destination of the knights was unknown."¹⁷

Meanwhile, in Atlanta, Klan leaders were making some important decisions which were to affect, directly or indirectly, not only the Klans in Jefferson County but those throughout the country. Hiram Evans, a native of Ashland, Alabama, was elected Imperial Wizard to succeed William J. Simmons, who was made Emperor, an impressive title which carried little authority. James Esdale, Cyclops of Lee Klan, and the delegation from Birmingham actively supported this change because they felt Evans' age and organizational ability, already demonstrated in Texas, would be helpful in the Klan. Evans was a graduate of Vanderbilt University and a reasonably successful dentist in Dallas. He dressed well, was a good public speaker, and recognized and appealed to the "groups in America with interests parallel to those of the Klan, especially large corporations." He was to head the national Klan until 1939.¹⁸

By July 1, 1923, the first issue of the *T W K Monthly*, the official state publication of the Knights of the Ku Klux Klan, had appeared, printed in Birmingham, with L. E. Lance as publisher. The forty-page publication was in three colors and contained news of the Klans throughout the state, editorial expression, and an "immense amount of advertising material from the firms and business houses of Birmingham and (its) suburbs." The front cover, in red and black, was "striking with its silhouette of the city skyline and a quotation attributed to Thomas R. Marshall." The same cover design was used for all subsequent issues of the publication.¹⁹

A huge rally was planned in September, 1923, for Edgewood Park. A public invitation was extended more than a week in advance in a front page story in the *Age-Herald*. In addition to the ceremony, there was to be swimming, dancing, a barbecue, stunt flying, a fireworks display, and a concert by the Chattanooga Klan Band. About 5,000 Klansmen were

¹⁷Birmingham *Age-Herald*, November 25, 1922.

¹⁸*Ibid.*, November 29, 1922; William Peirce Randel, *The Ku Klux Klan, A Century of Infamy* (Philadelphia, 1965), 195; Interview with James Esdale, June 22, 1967. Esdale said Simmons was "like a country preacher."

¹⁹Birmingham *Age-Herald*, July 1, 1923.

present to initiate from 1,250 to 1,750 new members. Crowds estimated at from 20,000 to 25,000 were present to witness the ceremony while an estimated 40,000 to 50,000 people came sometime during the day. The ceremony, said to be the largest in the South, attracted more people than a similar ceremony in Chattanooga a few weeks earlier. Hugo L. Black was among the initiates who took part in the stately ritual conducted by the Robert E. Lee Klan.²⁰

Two months later, in November, 1923, the Nathan B. Forrest Klan, No. 60 attracted an estimated 50,000 people to East Lake Park during the afternoon and evening. Electric lights were strung across the field and extra streetcars were added on the East Lake Park and Tidewater lines. Dr. Lloyd P. Bloodworth, Imperial Lecturer, addressed the crowd and pledged the strength of the Klan to make "America a better place for Americans to live in." The naturalization ceremony inducted approximately 2,000 new members in an impressive ritual, and was reputed to be the "biggest ever held in the South."²¹

Politically, as in other areas, the Invisible Empire was firmly entrenched in the Birmingham area by 1924 and claimed 18,000 members and 15,000 of the city's 32,000 registered voters. Many of the county and city officials were members or sympathized with the Klan. With so many registered voters as members, additional Klansmen were elected to office. The *New York Times* writing of the Klan and politics in Georgia, Tennessee, and Alabama, declared that the greatest progress had been made in Alabama, with the order controlling Jefferson County and exerting great influence in other areas of the state. Sheriff Thomas J. Shirley, a well-known Klansman, at least two judges, and more than a score of county and city officials were claimed by the organization. But not all Alabamians were Klan supporters. In fact, the presidential hopeful Senator Oscar W. Underwood denounced the Klan before a large gathering of civic clubs in Houston, Texas, in October, 1923. His position helped make the Klan the major issue in the conventions of 1924.²² Governor William W. Brandon, a member, was publicly "on friendly terms with the Ku Klux Klan,"

²⁰*Ibid.*, September 13, 1923; *Birmingham News*, September 12, 1923; Chalmers, *Hooded Americanism*, 78-84, 314-316.

²¹*Birmingham Age-Herald*, September 2, 12, November 1, 6, 21, 1923; *Birmingham News*, September 12, 1923.

²²*Birmingham Age-Herald*, October 18, 28, November 15, December 28, 1923.

but, with the nature of politics being what it is, he declared for Underwood.²³

Because of recent incidents of violence in the city, the Robert E. Lee Klan made an ostensible display of concern for law enforcement. In an October meeting the klavern unanimously endorsed an increase in pay for policemen and an addition to their number. The secret order held as a cardinal principle that "law and order can be maintained in the community only by maintaining an adequate and well-paid police department." Finances of the city were such, however, that the raise was not soon achieved.²⁴

The Klans in the Birmingham area enjoyed financial as well as numerical success. A building for the Robert E. Lee Klan was announced in February, 1924. To be located on the northeast corner of Twenty-First Street and Sixth Avenue, North, the proposed \$250,000 building would be "one of the most beautiful buildings in Birmingham." In May, 1925, this site was sold for \$70,000 and the Athletic Club property at 510 North Twentieth Street was purchased for \$190,000, with plans for extensive redecorations and early occupancy. By February, 1926, however, the Klan sold this structure to the YMCA for \$200,000 and decided, temporarily, at least, to rent quarters.²⁵ By May, 1924, it was rumored that the Ensley Klan had paid \$10,000 for a lot on the northeast corner of Twenty-Third Street and Avenue E (Ensley). A two-story brick klavern was to be erected on the site.²⁶ Contracts for the Nathan B. Forrest Klavern Building were let in December, 1924, at a cost of \$120,000. The two-story brick structure, located in Wahouma at Edmonds Street and First Avenue, contained Klan offices upstairs and rental space on the ground floor and was described as the "last word in architectural beauty." Other klaverns had ample but less commodious lodges.²⁷

In order to help finance the projected buildings and increase their strength in the community, a concerted recruit-

²³*New York Times*, November 16, 1923; Interview with James Esdale, June 15, 27 1967.

²⁴*Birmingham News*, October 5, 1924; Interview with James Esdale, June 22, 1967.

²⁵*Birmingham News*, February 13, 1924. A Klan supported Protestant hospital was projected for a later date. *Birmingham Age-Herald*, February 13, 1924, May 15, 1925, February 28, 1926.

²⁶*Birmingham News*, May 23, 1924.

²⁷*Birmingham Age-Herald*, December 21, 1924.

ment drive was started. On June 10, 1924, exploding fireworks during the afternoon signaled the evening parade which opened the drive. Policemen on motorcycles, a band and drum corps, and local and state Klan officials led 5,000 robed Klansmen and over a thousand automobiles through the streets of Fairfield, Ensley, and Birmingham. Literature listing the qualifications for membership was scattered by one of the advance cars and announcement was made of another large ceremony to be held two weeks later in East Lake Park. Many members carried electric torches, slogans, and patriotic buntings, but all tags had been carefully covered by cloth, "so secret was the parade." Traffic lights along the route were stopped and regular traffic was held up for thirty-five minutes at some points.

Two weeks later, 40,000 people witnessed the initiation of over 4,000 candidates and 50,000 persons visited the park during the day. Five local Klans participated in the joint naturalization. Tallied by the turnstiles the numbers were: Robert E. Lee Klan, 2,000 candidates; Woodlawn (Nathan B. Forrest Klan, No. 60), 1,100; Ensley, 500; Bessemer, 367; and Avondale, 140; a total of 4,107. Registration headquarters indicated that these had been enrolled since May 1. "Klansmen asserted that it was not only the biggest fraternal day in Birmingham's history, but the largest Ku Klux function ever held in the Southeast." Throughout the day the Birmingham Electric Company again added extra cars to handle the crowds, and automobiles were parked in all directions from the festivities. Special trains brought visiting Klansmen from Chattanooga, Anniston, Sylacauga, Goodwater, Alexander City, Mobile, and Tuscaloosa. There were even ten visitors from as far away as Evansville, Indiana, a center of mid-Western Klan activity.

Preceding the initiation, Dr. Earl Hotalen, Cyclops of Chattanooga Klan, No. 4 and frequent speaker in Alabama, recounted the history of the original Klan and told how "patriotic young men in Atlanta brought about its reincarnation on patriotic principles" in 1915. The Klan's dramatic ritual and secrecy proved very alluring features to many. One reporter concluded that "the most solid anti would have admitted the ceremony was impressive."²⁸

²⁸*Ibid.*, June 28, 1924; *Birmingham News*, June 27, 28, 1924; *Sylacauga Advance*, June 25, July 2, 1924; *Cleveland (Tennessee) Herald*, June 15, 1923.

Such accounts aided recruitment and by 1924 the Robert E. Lee Klan was estimated to have 7,500 to 10,000 members. In October a capacity crowd estimated at 23,000 attended a ceremony at Rickwood Field where more than a thousand were initiated into four local klaverns. An added feature of the occasion was an effigy burial of Senator Oscar W. Underwood beneath the speaker's platform in the center of the field. Eighteen honorary pallbearers represented the recently discharged Jefferson County Grand Jury which had been instructed to investigate Underwood's Maine campaign speeches in which he "pictured the state of Alabama as being terrorized by the activities of the Ku Klux Klan." When the audience was asked if there was anyone who cared to preach a funeral sermon, there was deafening applause but no volunteers.²⁹

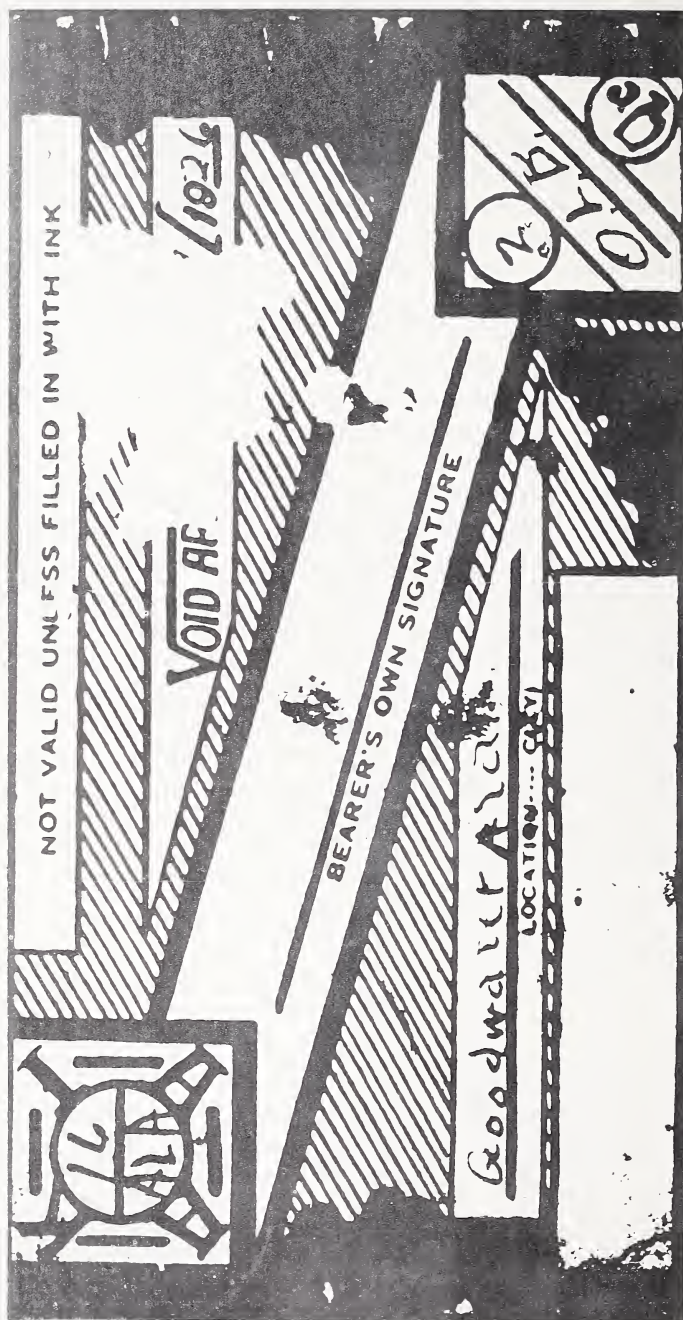
While the Klansmen of the area were busy, the ladies were not inactive. Following the guidance of the national Klan, the Alabama Women of the Ku Klux Klan obtained a charter and actively challenged the Kamelias, a rival organization proposed by Emperor Simmons in 1923. The central headquarters were the First National Bank Building, Birmingham, where the state Klan offices were located. James Esdale was their authorized agent while his wife headed the women's organization for the state. No one could quarrel with the high purpose of the organization, but it was, in fact, a way to help bolster the Klan organization by broadening appeal to women. Later a Junior Klan was initiated but never attracted many members because of a number of competing non-controversial organizations sponsored by civic clubs and organizations.³⁰

By 1925 the Klan was in a position to assume a much more active role in the life of the Birmingham region, which it proceeded to do in a number of activities. As early as 1924 Klansmen had sought to bring moral reform to Jefferson County. On Red Mountain near Birmingham robed Klansmen burned crosses and flashed lights on occupants of parked cars and ordered them to move on.³¹ White-robed men lighted fiery crosses along the

²⁹*Birmingham News*, October 16, 1924; *Birmingham Age-Herald*, October 16, 1924. The ceremony was under the direction of the Forrest Klan but included initiates from Bessemer, Robert E. Lee, and Industrial Cities Klans.

³⁰*Montgomery Journal*, December 19, 1924; *Birmingham Age-Herald*, December 20, 1924; Interview with James Esdale, June 6, 27, 1967.

³¹*Birmingham Age-Herald*, August 31, 1925.



Klan Membership Card

Montgomery highway and the valley regions south of Birmingham "to break up road houses." These raids were conducted with the approval of the county authorities who wanted to "clean up the places, anyhow." Similar raids were conducted against houses of ill-repute, and city detectives M. W. Alexander and Frank Watson received a letter demanding that several locations be cleaned up because "they were immoral and were selling liquor." It was signed "K.K.K."

One house was visited on Thursday and five on Friday, January 16, 1925. Witnesses reported that "several automobile loads of white-robed figures drove up, planted the cross, set it on fire, and then silently drove away." Birmingham's Commissioner of Public Safety W. B. Cloe announced a "dramatic campaign against disorderly houses, following the sensational burning of fiery crosses. . . . Police believe that the Ku Klux Klan was responsible for the burning crosses, as a warning to inmates of the houses." Later Commissioner Cloe said, "I welcome outside aid of whatever nature, as long as it is an orderly effort to help rid Birmingham of immorality."³²

Several days later the Birmingham *Post* reported that the "disorderly houses, which have operated openly in Birmingham for years, were quiet and deserted today." Early in February six additional men were added to the police force to help curb lawlessness. In addition to the houses of prostitution, there had been a rash of robberies and considerable evidence of a crime wave in the city.³³

The fourth in a series of similar incidents occurred February 6, when crosses were burned at three houses of ill-fame. The clean-up committee was composed of 75 Klansmen in automobiles with tags covered. Staff representatives of the city's newspapers were invited to be waiting at eight o'clock in the evening at the corner of Sixth Avenue and Twenty-Sixth Street. A reporter from the *Age-Herald* accompanied the raiding party, but no representatives came from the other papers. The roving reporter wrote that all occupants protested their innocence, although one of them, Miss Ida Cartwright, said she would return to Evansville, Indiana.³⁴

³²*Ibid.*, January 18, 1925; *Birmingham Post*, January 17, 1925.

³³*Birmingham Post*, January 23, 1925; *Birmingham Age-Herald*, February 4, 1925.

³⁴*Birmingham News*, February 7, 1925.

In some areas of the state the Klan exercised a great deal of political influence. This was especially true of Birmingham and Jefferson County. Although the Klan failed to prevent the reelection of R. E. Chadwick to the Birmingham Board of Education in April, 1925, the results of the city commissioner's election in October were considered a "tremendous victory" for the Klan. Two of the three Klan-supported candidates won election although only John H. Taylor, Commissioner of Public Safety, was actually a member of the order.³⁵

Klan success was attributable not only to its secrecy, which appealed to an adventure-seeking group of men, but also to the protection promised members and their families who might be in need. Aid was often promised individuals in unfortunate circumstances. Klan help was demonstrated when an unusual financial shortage caused the Birmingham Board of Education to close the schools April 24, 1925, five weeks short of the regular nine-month term. Some teachers continued to work even though they were not promised a salary. In response to the crisis, the Klan sponsored a minstrel at the municipal auditorium, featuring the Original Four Quartet and Little Willie, a fiddler from Blount County. The show made \$3,445.50 which was turned over to county treasurer C. E. Harrison to pay the teachers who remained at their posts. Names of the recipients and the amounts received ranging from \$10 to \$100, were listed in the *Age-Herald*.³⁶

In June the municipal auditorium served the Klan for a different purpose. Approximately 6,000 robed and hooded figures, including a number of women and junior Klansmen, paraded through the downtown area to the auditorium. At the auditorium a "Lodge of Sorrow" was held to memorialize the more than 120 Klansmen who had died in Alabama since the Klan was revived. Attracting dignitaries from all parts of North Alabama, known as Province No. 1, Realm of Alabama, the program included the Klan dirge, special music, a memorial address, and impressive rites for the dead. This service was in addition to separate rites provided at individual Klansmen's funerals.³⁷ For example, when Robert E. Smith, Deputy Sheriff

³⁵*Birmingham Post*, April 4, 21, October 20, 1925; *Birmingham News*, October 20, 1925.

³⁶*Birmingham Post*, April 25, 1925; *Birmingham Age-Herald*, June 23, 24, 1925.

³⁷*Birmingham Age-Herald*, June 11, 1925; *Birmingham Post*, June 11, 1925.

of Jefferson County, died in 1922, six hooded knights accompanied the casket into Mount Vernon Methodist Church. They remained for the service and placed a floral wreath at the foot of the bier.³⁸ Later the same year other members attended the funeral of James H. Hilliard, former Deputy Sheriff, at Ruhama Baptist Church. Walking with the procession, they placed a cross at the grave in the cemetery.³⁹

Although some individual members might be deceased, the Klan was not dead. In 1926 the Klan in Alabama enjoyed its greatest membership (94,301), largest number of klaverns (148), and exerted powerful political influence. Jefferson County Klans alone enlisted between 15,000 and 20,000 members, their largest membership in history.⁴⁰

The Birmingham Klans began the new year with zest and zeal. A group of robed Klansmen, armed with search warrants for liquor (and a gun or two), staged sensational raids on three Chinese restaurants within the city: Joy Young's, the King Joy Inn, and Shanghai Low's. In addition to searching the premises, some took the liberty of searching some of the patrons; the Klan members had violated propriety as well as law. An editorial outcry was raised against such an outrage like this, and a call went out for law enforcement by legally constituted authorities. Within two weeks, four Klansmen had been arrested and convicted. W. J. Worthington, Exalted Cyclops of Avondale Klan, No. 59, and W. W. Israel were fined \$100 and given ninety days in jail. T. C. Harwell was fined \$100 and given thirty days while W. D. Haynie, the youngest member of the party, was fined \$50 and given a suspended sentence of thirty days. When their decision was appealed, Worthington was tried separately and acquitted. Hugh A. Locke, lawyer for the defense, argued that the search warrants were properly drawn and that the deputy sheriff with the group made their actions within the law. The case against the others was dropped because officials felt that their strongest case was against Worthington.⁴¹

³⁸Birmingham *Age-Herald*, February 11, 1922.

³⁹*Ibid.*, December 3, 1922.

⁴⁰Interview with James Esdale, June 15, 1967.

⁴¹Birmingham *Age-Herald*, January 3, 14, 1926; *Birmingham Post*, April 29, May 1, 1926.

In the 1926 elections the Klan enjoyed important political victories. Governor-elect Bibb Graves and Attorney General-elect Charles C. McCall were both members of the Montgomery Klan, the former being Exalted Cyclops. Hugo L. Black, newly elected United State Seneator, was a member of the Robert E. Lee Klan in Birmingham. Birmingham lawyer George Frey and a number of other state representatives were members of the Invisible Empire. Frey shared an office in the First National Bank Building with fellow lawyer, James Esdale, Grand Dragon of the Realm of Alabama. When election results were conclusive, Esdale checked the list of new legislators and "found that some of the members of that body" did not belong to the Klan. He advised various Klans throughout the state that legislators who were not members should be encouraged to join and that his office be informed of the success of the campaign.⁴²

To celebrate the recent political victories, a Klorero (meeting) was called for September 2, 1926, in Birmingham. During the afternoon Hugo L. Black and Bibb Graves sat on the stage of the Great Klavern on Twentieth Street. Esdale said "Klan history was to be made. . .," and the politicians were each presented a gold "grand passport" by Dr. A. D. Ellis of Tuscaloosa. That evening a parade marched to the auditorium where Imperial Wizard Hiram W. Evans' address was carried over local radio station WBRC, one of the first night broadcasts in Birmingham's history.⁴³

In 1927 a dispute developed between the Forrest Klan, No. 60 and the Grand Dragon over conduct of local affairs. As the controversy increased, the *Age-Herald* took a keen interest in local Klan affairs and published accounts of the meetings of various klaverns. Upset by this breach of secrecy, the Klan attempted to strengthen its security and isolate and remove the informer. Repeated efforts were not successful, and accounts continued to be published until several libel suits were instituted by Esdale against the paper. Detailed reports of the area klaverns ceased abruptly when the *Age-Herald* was sold

⁴²Birmingham *Age-Herald*, December 12, 26, 28, 29, 1926.

⁴³Birmingham *Post*, September 2, 1926; Birmingham *News*, August 20, September 2, 3, 1926; Birmingham *Age-Herald*, September 3, 1926; New York *Times*, September 13, 14, 15, 1937.

to E. D. DeWitt, acting in behalf of Victor Hanson in March, 1927."

One of the flagrant outrages perpetrated by the revised Klan was flogging. The total number of those to suffer this indignity will never be known. The *Birmingham News* estimated in 1927 that hundreds had felt the Klan's lash in the previous five years. A typical example occurred in 1927 when T. B. Naramore was aroused from his bed by four unmasked men and given twenty-five lashes. He was accused of drunkenness, beating his wife, and improper relations with his invalid daughter, all of which he denied. No trace could be found of the men who did the flogging.⁴⁵ Two months later, George Smith, German proprietor of a small grocery, and his sixteen-year-old daughter, Tessie, were whipped. He was handcuffed and beaten with "heavy sticks" while the girl was lashed with tree branches but not seriously hurt. Smith had been told not to permit his daughter to work in the store which was patronized by Negroes.⁴⁶ Actions were directed less frequently against blacks and more against whites who had violated the community's generally accepted moral values.

A number of whippings had been carried out every year from 1921 to 1927, but there were no arrests or convictions. In 1925 a series of floggings occurred during a brief period of time. After four of the floggings took place, an outpouring of public, civic, and judicial indignation occurred, which resulted in the indictment of three men. The first case resulted in an acquittal, and the others were not brought to trial.⁴⁷

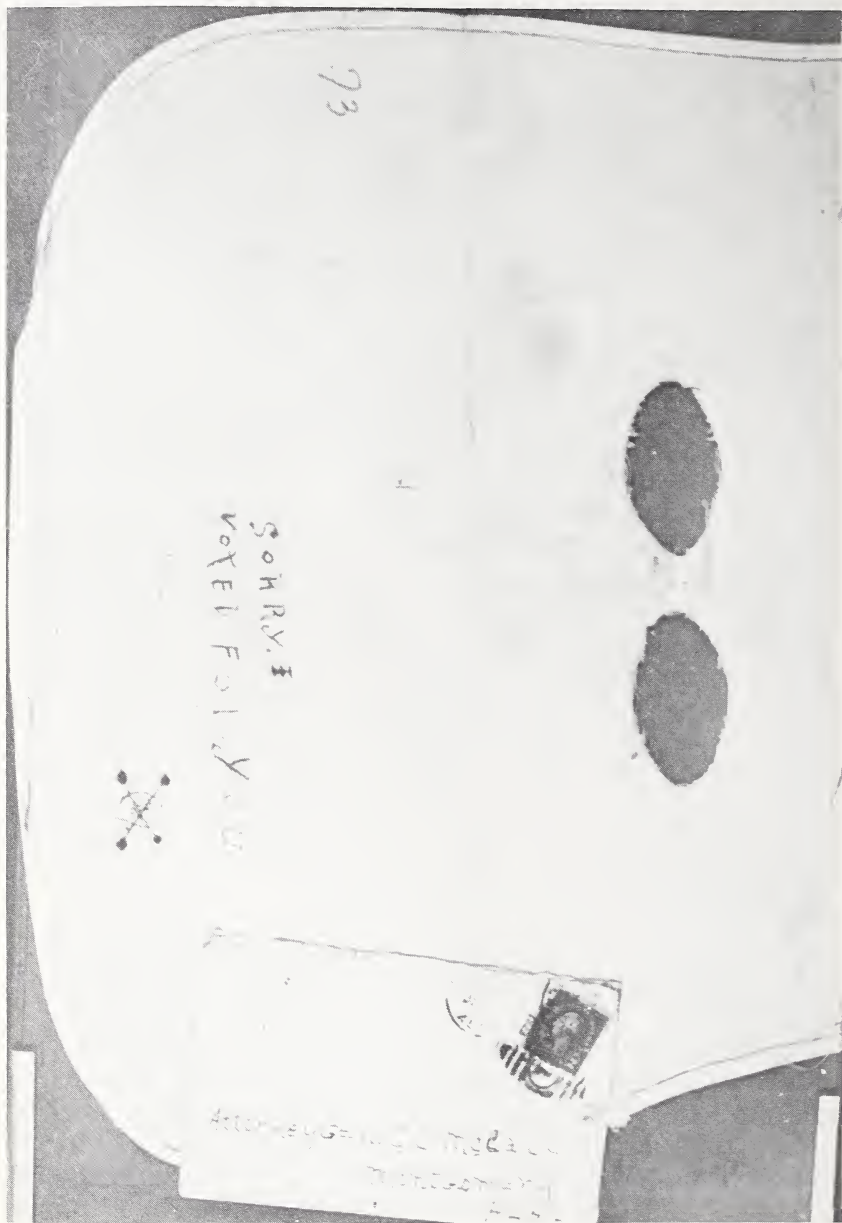
The flogging which was to receive the greatest publicity, arouse public indignation, and result in the first successful convictions was that of Jeff Calloway, a nineteen-year-old orphan from Blount County on June 26, 1927. Klansmen from Oneonta and Tarrant City participated in an evening service at Antioch Baptist Church near Oneonta, in which three white-robed men spoke from the pulpit. As they were leaving, they seized Calloway, who had a bottle and had been drinking. They drove to Jefferson County where he was severely kicked and beaten

⁴⁵*Birmingham Age-Herald*, January 5, 12, February 2, 5, 6, 1927; *Birmingham Post*, January 6, February 5, March 3, 1927.

⁴⁶*Birmingham Age-Herald*, January 13, 1927.

⁴⁷*Ibid.*, March 13, 1927.

⁴⁸*Ibid.*, April 4, 1925; *Birmingham Post*, March 21, 1925.



Ku Klux mask mailed to Attorney General C. C. McCall during the Calloway affair, and presented by Mr. McCall to the Archives and History Dept. with the envelope in which it was mailed.

with a hickory stick. Attorney General Charles C. McCall, himself a Klansman, demanded the names of the men responsible for the crime from state Grand Dragon James Esdale. Seven men were tried for kidnapping and flogging Calloway; two defendants were found guilty and subsequently the others entered guilty pleas. This conviction was so important that the *Age-Herald* compared it to the fall of the Bastille.⁴⁸

When a parade of the Klan was announced for December 15, 1927, McCall called it a "flouting gesture." To celebrate the recent acquittals in trials in Luverne, Alabama, Klansmen from over the state were urged to make it the greatest parade in Klan history. Even the elements conspired against the event as rain delayed the parade almost an hour and a half. A reporter for the *News* counted the marchers: 828 men, 103 women, and four children. At the municipal auditorium they held a banquet and heard a prominent speaker. Newspapermen were barred from the meeting and were unanimous in their unsympathetic accounts of the event. What was intended to be a "victory parade" may have been the "wake" for the Klan in Birmingham and Alabama. Never again did the organization enjoy the strength of numbers, wealth of finances, public approval, religious sanction, or political victories it had previously known.⁴⁹

As 1928 opened, both state and national Klan leaders were thinking of ways to recover their losses in membership and prestige. They developed the K-Trio degree which was to be introduced on February 22, 1928. At this time members would attain the new degree by paying one dollar and unmasking. This was an effort to unmask before being forced by public opinion, and to increase dwindling revenues. Despite these attempts, membership continued to fall as some refused the new degree and others became inactive.⁵⁰

The most colorful story came in 1928 when the effigy of Alfred E. Smith was cut, shot, and hung at a July meeting of the Nathan B. Forrest Klan, No. 60 at Wahouma. More than 200 men, women, and children were present to hear speeches

⁴⁸Birmingham *Age-Herald*, July 2, 5, 6, August 5, 6, 7, 1927; *Birmingham Post*, July 5, 6, 1927.

⁴⁹Birmingham *Age-Herald*, December 11, 12, 16, 1927; *Birmingham News*, December 16, 1927; *Birmingham Post*, December 13, 14, 16, 1927.

⁵⁰Birmingham *Age-Herald*, January 22, 23, 24, February 22, 23, 25, 29, 1928.

denouncing the Houston Democratic Convention. Two Klavaliars, Klan security guards, brought in a dummy, introduced it as Al Smith, and asked the crowd what should be done to it. When loud and numerous replies of "Lynch him," ensued, an officer, producing a long knife, cut its throat and liberally poured mercurochrome on the neck to add to the effect. Another shot the dummy, tightened a rope around its neck, and as he dragged it through the hall, some stepped out to kick it. A local official predicted that Smith would be lynched with "good Christian Democratic votes in November" and Alabama would go Republican for the first time in its history.⁵¹

The Klan was in the background most of 1929 because it had expended its strength and finances against Smith and had lost; moreover, it was declining in membership. Seriously damaged by the intense newspaper publicity during and after the Calloway trial in 1927, membership continued to fall. According to figures compiled by the *Washington Post*, over 115,000 members had been inducted into the secret order in Alabama by 1925. In 1926 actual membership stood at 94,301. As 1927 drew to a close, membership stood at 10,431, then dropped to 5,525 in 1928. In 1929 there were only 3,213 members, and the membership fell to 1,349 during 1930.⁵²

During the 1928 campaign some Democrats failed to support the national nominee of their party; among them were United States Senator J. Thomas Heflin and Hugh A. Locke, an aspirant for governor of Alabama. The Democratic Executive Committee, in December, 1929, voted to bar both candidates from the primary in 1930, but both men announced their determination to be candidates. Horace Wilkinson, the state leader of the independent movement, bypassed Esdale, went directly to Evans, and convinced him that the candidates could win the election outside the party. Esdale was just as sure that they would fail⁵³

⁵¹*Ibid.*, July 8, 1928; Rice, *American Politics*, 87; Edwin C. Nevins, "Alabama in the Presidential Election of 1928" (unpublished master's thesis, University of Alabama, 1937), 78; Hugh Dorsey Reagan, "The Presidential Campaign of 1928 in Alabama" (unpublished doctoral dissertation, University of Texas, 1961), 97-98, 383; A. B. Moore, *History of Alabama* (Tuscaloosa, 1931), 777.

⁵²The *Washington Post* quoted in the *Birmingham News*, November 23, 1930. These figures when presented to former Klan officials in Pennsylvania were adjudged accurate for that state; Emerson H. Loucks, *The Ku Klux Klan in Pennsylvania, A Study in Nativism* (New York, 1936), 208.

⁵³*Birmingham Age-Herald*, December 17, 21, 1929; *New York Times*, December 28, 1929.

The Republicans decided not to field candidates for the positions sought by Locke or Heflin, who they claimed were "friends of the Republican cause." They nominated a strong slate of candidates for the other offices hoping to "tear up the Democratic Party for the next 50 years." Benjamin M. Miller, who strongly opposed the Klan, won by a 58,626 vote majority over Locke in the gubernatorial race, and John H. Bankhead, Jr. led Heflin by over 52,000 votes for the United States Senate seat. Both Democratic leaders were subsequently elected in the general election in November.⁵⁴

In anticipation of the general election and its results, the *News* commented on the decline of the Klan since 1927. The paper predicted that after the election the Klan "will have reached the end of its rope in Alabama. . . ." The predicted events occurred, and as a fitting memorial to the demise of the Klan the *News* published an editorial appropriately entitled "The Decline and Fall of the Invisible Empire." Publicity was directed against the prejudices and hates of the organization and caused loss of membership. Claiming some of the credit for the newspapers, the editor wrote "Alabama is a better state in which to live as a result of the fight." The only regret was that there were still over a thousand Alabamians who were members of the organization.⁵⁵

In 1931 another left the ranks of the Klan; James Esdale laid aside the Grand Dragon's robes and entrusted the leadership of the remaining Klansmen to Bert E. Thomas. Esdale was the most powerful Klansman of them all, and his resignation was symbolic of the end of an era.⁵⁶

Accounts of the activities of the local Klan in the 1930's are sketchy, probably due to the small size and ineffectiveness of the organization. Thomas tried to spark the organization as he had in former days, but lasting results were few. In September, 1931, Klansmen were to be furnished robes at the meeting hall at 1809½ Fourth Avenue North to parade bearing fiery crosses through the Negro sections of the city. Lamenting the recent assaults upon young women they maintained "something must be done and Klansmen must do it."⁵⁷

⁵⁴Birmingham Age-Herald, August 21, 22, 23, 1930.

⁵⁵Birmingham News, October 3, 1930.

⁵⁶Ibid., November 23, 1930; Interview with James Esdale, June 6, 1967.

⁵⁷Birmingham Post, September 15, 1931.

East Lake Park, the site of a number of previous successful ceremonies of the local Klans, was to be the scene of an important celebration on November 12, 1931. Promising fireworks, public speaking, free Klan statues, and a free barbecue for all robed Klansmen, the featured speaker was to be Imperial Wizard Evans.

Activities in 1932 included a brief effort of the Lee Klan to route Negro crowds and warn Communists against agitation in connection with the sensational Scottsboro rape case. In July, 1933, the local Klan was host to a meeting of state leaders. Hoping to attract a large crowd because of the importance of the meeting, Evans was billed as the main speaker, and other national officials were present to provide helpful suggestions for local leaders. It was reported that groups from Ensley, North Birmingham, Bessemer, Tarrant, East Lake, Woodlawn, West End, and Birmingham held membership in the state organization.⁵⁸

The following year Mobile was the convention site for the state Klan meeting. Grand Dragon Thomas, an auto garage operator, led the delegation from Birmingham. Acquiescing to the demands of the Mobile city commission, Klan officials agreed to be unmasked as they paraded through the port city's business district. Evans was scheduled to close the sessions by speaking on the subject "What The Klan Will Do in the Future."⁵⁹

The Klan mobilized its forces in 1935 in an attempt to prevent the ending of prohibition in Alabama after the Twenty-First Amendment ended it nationally in 1933. Former Governor Benjamin M. Miller, a Klan antagonist, was in sympathy with their current position. Klan handbills bearing the imprint of the Robert E. Lee Klan, No. 1, urged citizens not to change the "present prohibition laws of Alabama."⁶⁰

The fears of Louis Colman expressed in his correspondence "The Klan Revives" in *The Nation* were not realized.⁶¹ The organization was faltering locally. Upon his reelection Imperial Wizard Evans let it be known that it was his last term to serve, and it became evident that he was serious. In 1936 the Imperial

⁵⁸*Birmingham News*, July 17, 1933.

⁵⁹*Birmingham Post*, October 13, 1934.

⁶⁰*Birmingham News*, February 2, 1935.

⁶¹Louis Colman, "The Klan Revives," *The Nation*, July 4, 1934, 20.

Palace on Peachtree Street in Atlanta was bought by an insurance company which in turn sold it to the Roman Catholic Church. It was to be the rectory for the new Cathedral of Christ the King. Bishop Gerald O'Hara proposed to Ralph McGill that Evans be invited to the ceremony. The Imperial Wizard accepted and indicated that the organization had subordinated "racial and religious matters" in order to oppose "communism and the CIO." Soon thereafter Evans vacated the office, which was assumed by James A. Colescott in June, 1939.⁶²

The state and local Klan organizations had spent their energies but they had existed a decade beyond their actual demise in 1930. Talburt expressed it well in a cartoon which appeared in the *Post* in 1940. He sketched a nocturnal scene with a lone hooded figure holding aloft a burning cross, the "re-kindled Klan," while the right hand clutched a heavy stick labeled "cowardice." The caption was "Oh Say Can You See—" and many had.⁶³

At the 1921 initiation in the Magic City the statement was made that Klansmen "were here yesterday, and that they will be here forever." There is no one Klan today but a number of organizations claiming the name Ku Klux Klan. The existence of the revived Klan beyond 1940 would be a study not of one but of many. The Klan since 1940 has lived on more in myth than in reality.

⁶²Chalmers, *Hooded Americanism*, 317-318.

Birmingham Post, May 1, 1930. For a treatment of the organizations after 1940 see Chalmers, *Hooded Americanism*, 319ff.; Randel, *The Ku Klux Klan* 217ff.; U. S., Congress, *Activities of the Ku Klux Klan Organization in the United States, Hearings*, before the Committee on Un-American Activities, House of Representatives, 89th Congress, 1st session, 1965-1966.

PAGES FROM A NINETEENTH-CENTURY ALBUM

by

Mary Tabb Johnston

In the nineteenth century as in the twentieth, autograph seeking was a popular pastime. Verses as well as autographs were requested for albums in a time when educated people were not reluctant to express their thoughts in verse. The story of Francis Scott Key's writing in the album of Sarah Gayle, the nine-year-old daughter of Governor John Gayle, is well known to Alabamians. The verses he wrote for Sarah and those he wrote for Margaret Kornegay, niece of Senator William R. King, in reply to a rhymed request from Mrs. Gayle have been printed on various occasions and commented on by historians.¹

Sarah Gayle's album is no longer intact, but some of the pages remain in a scrapbook in which she preserved mementos throughout her life. She married Dr. William Crawford of Mobile and spent most of her life there. The scrapbook is now the property of Mrs. Crawford's granddaughter, Mary Adams Hughes, of Edgefield, South Carolina. Miss Hughes has given me permission to reproduce two of the contributions to the album which have been preserved in the scrapbook.

To Sarah

Sarah! when o'er life's varied scene—
Thy youthful eye its glance shall cast;
Think not thy days shall glide serene,
Nor dream that Pleasure's smile can last!
Ah! no — tho' Morn shall bloom for thee,
And flowers breathe forth rich fragancy;
Tho' Friendship's charm and Love's delight
Clothe each new scene with visions bright:
Tho' Learning in its midnight toil,
Thy lonely spirit shall beguile;
And Musicks strain in melting song
Thrill thy young heart amid the throng,

¹The poems were probably first published in *The Southron* in 1839. See Thomas Chalmers McCorvey, "The Mission of Francis Scott Key to Alabama in 1833," *Transactions of the Alabama Historical Society*, 1899-1903, IV (1904), 141-165.

These joys will fade, and thou shalt be,
A Mourner on this earth, like me!

'E're Eve shall spread her dewy veil,
These flowers will fade, their freshness fail:
Freindship's bright glow, will soon grow cold
And faithless as the Miser's gold;
And Love is but a feverish dream
Reflected o'er Life's glassy stream:
If Passion's ripple but arise,
Love wakes, and broken-hearted dies!
Ah! Sarah, o'er this troubl'd sea,
These golden bubbles shine for thee!
But they will burst, and thou shalt be
A Mourner, on this earth like me!

But faith holds out a nobler prize,
And bids us look through starry skies
To realms where mild Religion's voice,
Bids the sad Mourner's heart rejoice;
There, Sarah, when Life's toils are past
May thy blest spirit come at last;
And may I meet thee pure as when
Thy innocence on earth was seen;
Where then in Heaven thou canst not be
A Mourner, on this earth like me!

A A M

Reply to the foregoing.

Oh! no, it cannot be, that one so fair
Shall ever feel the chill of care: —
That o'er that pure, and pearly brow,
Where pleasure's smiles are gleaming now; —
Where Youth, and Beauty, both combine,
To consecrate for Love a shrine; —
Misfortune's shadows e'er shall fall,

And Hope's bright prospects darken all; —
That, that young eye, that now appears,
So brightly gay, shall fill with tears; —
And this fair cherub ever be
“A mourner on the Earth, like thee!”

Sad Minstrel! no! — Hope's prophet song
Doth other strains than thine prolong,
And tells a far more flattering tale,
Of future bliss, for *Sarah Gayle*!
“Youth's charms will fade”; indeed 'tis true,
As fades at morn the diamond dew;
But dearer charms will still remain,
Than all youth's bright but fleeting train;
For starlike Genius then will live,
And all the charms that virtues give; —
Then, why think, Minstrel, she must be,
“A mourner on this Earth, like thee!”

[over.]

Ah, no! — the smile, Religion brings,
Will deaden sorrow's poisoned stings,
As erst the branch, the prophet gave,
Brought sweetness to the bitter wave!
When daylight fades, and Night assumes
“Her leaden sceptre,” — ‘midst the glooms
Her presence brings, in lustre play
A thousand lights, not seen by day! —
So Sarah's sky, in life's decline,
With heavenly virtues, still will shine,
Then, why say, Minstrel, she must be
“A mourner on this Earth, like thee!”

March, 1835.

A. B. M.

The first poem, entitled “To Sarah,” which is signed only “A A M,” is undated. The second, entitled “Reply to the foregoing,” is dated March, 1835. After the “A. B. M.” someone has written “eek” with a pencil. A. B. Meek had graduated at the University of Alabama in 1833 and was completing his law studies in Tuscaloosa in 1835. William R. Smith in his

Reminiscences of a Long Life says: "Meek began to make verses very early in life, and had acquired considerable village reputation as a poet even before he entered the University."² Meek's later accomplishments as an orator, editor, writer, and jurist are well known. But what of "A. A. M.," whose depressing entry in Sarah's album called forth Meek's reply? Smith records that Albert A. Muller was minister of the Episcopal Church in Tuscaloosa in its early days and that he was extremely popular in the mid-twenties.³ As early as 1823, he had published in Charleston, South Carolina, a book of gospel melodies and other occasional poems.⁴ Entries in a journal kept by Sarah's mother, Sarah Haynesworth Gayle, leave no doubt as to Mr. Muller's being the "A. A. M. of the daughter's album."⁵ Mrs. Gayle first mentions hearing him preach when he held services in Greensboro in August, 1830. He preached "a most excellent sermon on the doctrines of the Episcopal Church,"⁶ she commented. She heard him again while she was on a visit to Tuscaloosa in January, 1831. He made several visits to Greensboro during that year and on one occasion spent the night at the Gayle home. Mrs. Gayle wrote: "He is pleasing in his manner with the least of the preacher about him that I have ever seen, so little, that though I wished, I could not ask or insist on Mr. Gayle's proposing worship in the family before retiring to rest. He is a South Carolinian, knew my father's uncle, Dr. Furman, and could talk of various persons with whom Mr. Gayle was familiar."⁷

On a visit to Greensboro in June Mr. Muller dined with the Gayles and at this time took Sarah's album back with him to Tuscaloosa "to fill a page." Mrs. Gayle comments that she read a "very sweet piece of his in the paper called 'Star-light.'" Young Sarah must have been quite impressed by his contribution to her album, for in December Mrs. Gayle wrote her hus-

²William R. Smith, *Reminiscences of a Long Life* (Washington, D. C., 1889), 315.

³Smith, *Reminiscences*, 161.

⁴Thomas M. Owen, "A Bibliography of Alabama," *Annual Report of The American Historical Association for the year 1897*, 1086.

⁵The Original of Sarah Haynesworth Gayle's Journal is in the Gorgas Collection in the Amelia Gayle Gorgas Library of the University of Alabama. I am indebted to Mr. and Mrs. George Tait of Richmond, Virginia, for the use of a typescript copy of the Journal from which I have drawn the references to Mr. Muller. Mr. Tait is a great-great-grandson of Sarah Haynesworth Gayle.

⁶Journal, August 15, 1830.

⁷Journal, February 19, 1831.

band "Sarah begs, instead of a Bible, you will get her a Book of Common Prayer, to read at Mr. Muller's church. The exchange is good, as she has the former." Mr. Gayle had been elected governor the preceding summer, and the family anticipated moving to Tuscaloosa.

Smith's *Reminiscences* tells us that Mr. Muller's convivial nature unfortunately led him to forget that as a clergyman he was barred from indulging in activities for which men of the world might be forgiven and that he was "driven from his church and out into the world."⁸ By the time Mrs. Gayle and the children moved to Tuscaloosa early in 1833, Samuel S. Lewis had replaced Mr. Muller as the Episcopal rector.

In 1839 Muller's poem "Sunset at Rome" was published in *The Southron*, a monthly magazine published for a short time in Tuscaloosa.⁹ Though A. B. Meek's name did not appear as editor of the magazine, it was well known that he served in that capacity. Smith has high praise for Muller's poem. At the time of its publication, Muller was preaching in Tennessee; but Smith says that from this time on his road was a downward one and that when last heard from in 1858, he wrote Professor Henry Tutwiler at Greene Springs, Alabama, that he was "eking out a bare subsistence by occasional literary drudgery connected with the press."¹⁰

Muller's foreboding entry in the album was not unusual in his day, for life at best was hard; death from disease was common; infant mortality was appalling, and the average life expectancy was little better than thirty-five years.¹¹ Mrs. Gayle herself uses the same theme in writing to a young Greensboro friend in 1830:

* * * * *

I look upon thy cheek — it is untouched —
 Into thy eye, and only lightness see —
How can I tell thee, that the time will come
 When these will cease to sparkle, those to bloom
 And sorrow banish all thy gladsome glee.¹²

⁸Smith, *Reminiscences*, 161.

⁹McCorvey, "The Mission of Francis Scott Key to Alabama in 1833," 159.

¹⁰Smith, *Reminiscences*, 167-70.

¹¹Richard N. Current, T. Harry Williams, and Frank Freidel, *American History: A Survey* (New York, 1961), 275.

¹²Journal, June 18, 1830.

I cannot help, however, being glad that A. B. Meek, on reading Muller's lines in Sarah's album, felt called upon to reply to a happier vein for the youthful daughter of Alabama's governor.

BOOK REVIEWS

John Hampden, *Francis Drake, Privateer. Contemporary Narratives and Documents* (University, Alabama: The University of Alabama Press, 1972. Pp. 286. \$12.75.)

The Elizabethan era has long been regarded as one of the more exciting and enticing epochs for the student of English maritime history. The exploits of Drake, Hawkins, Raleigh and others have already been assiduously transcribed in the publications of the Hakluyt Society and romanticized in countless biographies and novels. Few other periods afford such a fertile ground for exploitation by the serious scholar and the interested reader. To serve both of these interest groups is the intent of this present volume of contemporary narratives and documents on Francis Drake, privateer.

The editor has selected three texts illustrative of the career of this great seaman. The first, written by John Hawkins, describes his third voyage to the New World — a slaving expedition which climaxed in the battle of San Juan de Ulua (1568). It was here that Drake was given his first command on the *Judith*, a small bark of 50 tons, and was subjected to mild reproach for his desertion of Hawkins after the battle. The second narrative, a composite account reviewed by Drake himself, is entitled "Sir Francis Drake Revived." It describes his commando raid on the isthmus of Panama and his capture of a treasure train in the early 1570's. In spite of the antiquarian merit of this detailed narrative, any literary value it possesses is effectively obscured by the numerous one sentence paragraphs and inconsistent writing style. Aside from his later raid on Cadiz and his role in the defeat of the Spanish Armada, the most significant exploit in Drake's career was his epic voyage around the world in 1577-80 in the *Golden Hind*, described in the third narrative. The determination of the inaccessibility of *terra australis* (Antarctica), the discovery of the absence of any western outlet of the northwest passage in North America, and the pillage of Spanish treasure troves on the west coast of South America were amongst the accomplishments of this voyage written by the seaman's nephew, also named Francis Drake. The narrative is further enriched by the addition of accounts by other seamen on the voyage.

It is obvious from the outset that the editor is totally knowledgeable and engrossed in his subject. The introduction and the epilogue are excellent. Throughout the narratives the reader is enlightened about sixteenth century conditions by the judicious use of footnotes and a helpful glossary. This interest is further increased by several dozen illustrations and photographs. But it is necessary to question the particular form in which the narratives have been presented. In the first place all of the documents have been previously printed, though scattered in several publications. "Sir Francis Drake Revived" was printed in the editor's own *Sir Francis Drake's Raid on the Treasure Trains* (1954). The other two narratives appear in the publications of the Hakluyt Society which are available in some form in almost every scholarly library. For the serious scholar the present volume would be of dubious value because he would wish to study originals. No assurance is given anywhere that the editor has done any more than copy from previous published accounts and thereby possibly compound editing errors. With the possible exception of the antiquarian or the student writing an occasional term paper, there is little here to interest the general reader. The sixteenth century writing style, even with editorial comments, is not a stimulating genre. The potential reader is far more inclined to prefer biographies or descriptive histories of the privateers and their exploits in the late sixteenth century. A real demand still exists for good history, with analysis, synthesis, and style, for which even the best edited work cannot provide a substitute.

John D. Fair

Auburn University, Montgomery

John Walton Caughey. *Bernardo de Galvez in Louisiana 1776-1783*. (Gretna, Louisiana: Pelican Publishing Company, 1972. Pp. 290, \$15.00.)

Less than a generation ago, veteran guides in Mexico City's fabulous Chapultepec Palace usually asked wide-eyed tourist groups to identify their home states. More often than not it was a harmless ruse to put their charges at ease and thus set the mood for extracting more generous tips. But, there was more involved than politeness and petty greed. If the answer was Florida, Alabama, Mississippi, Louisiana, Texas,

New Mexico, Arizona, and California, the guide welcomed the visitors to the builder of Chapultepec and former governor of their respective states.

Thus were many United States travelers introduced to Bernardo de Galvez — "Conde de Galvez, Vicount of Galvez-town, . . . Lieutenant General . . . , Inspector General of all the troops in America, Captain General of the Province of Louisiana and of the two Floridas, Viceroy, Governor, and Captain General of the Kingdom of New Spain. . . ." No mean title to be sure, and many North American sojourners were undoubtedly impressed with a sense of history served up for their pleasure.

It is altogether likely that few if any of the visitors took the time to read John Walton Caughey's *Bernardo de Galvez in Louisiana 1776-1783*. Such dereliction is a misfortune for it has become an historical classic dealing with one of the most successful Spanish magistrates of Spain in North America. First published in 1934 and revived in 1972 with a Foreward by Professor Jack D. L. Holmes of the University of Alabama in Birmingham, it represents a real service to present day scholars unable to acquire earlier editions.

Professor Caughey develved deeply into his subject. The serious reader cannot fail to recognize that Galvez not only performed his civil duties with dispatch, but he also emerges as one of the top military leaders of 18th Century Spanish Louisiana. This scion of a prominent Spanish government family came to power at only thirty years of age and managed the myraid responsibilities such as census taking; financial affairs; inspecting posts under his jurisdiction; encouraging immigration; directing Spain's commercial regulations; balancing the budget; and showing a profit for the Mother Country. In addition he became involved in the American Revolution, first as a co-conspirator with American agents and then as a warrior conquering British strongholds in the Gulf of Mexico.

The meat of this work lies in Galvez's role in the American Revolution. As a soldier he was dramatically successful. Shortly following Spain's war against England, he took Baton Rouge, and proceeded to capture other British fortifications. Of especial interest to Alabamians is the Chapter (X) dealing with the taking of Mobile in 1780. Caughey narrates the elab-

orate plans which were set in motion for capturing the port city that Galvez considered as "the source of supplies for Pensacola and strategic point for Indian control." Although reinforcements from Havana were solicited but not forthcoming, the intrepid governor went it alone in a several months' siege conquering the Gulf stronghold and going on to take Pensacola. Interesting as well as informative correspondence relative to taking Fort Charlotte within the city limits shows Galvez not only as a good writer, but a chivalrous warrior toward the English losers.

This extraordinary Spaniard's ambitions took him on to more glories after Pensacola. All of this is narrated from original sources located in the United States and Spain. Rewards for such services were fast in coming. Galvez ended his career in one of the top administrative post of the Spanish Empire that of Viceroy of New Spain where he died in office in 1786.

This book is not a biography *per se* and for that reason invites some niggling criticism for what it does not do and could have done in the interest of entertaining reading. A bit more on the personal life of Galvez, his Louisiana wife and family would have gone a long way in supplying this need. But, in Caughey's day historical biography was not designed to entertain, but edify, and this work abundantly fulfills that goal.

H. E. Sterkx

Auburn University, Montgomery

Simone de la Souchere Delery. *Napoleon's Soldiers in America*. (Gretna, Louisiana: Pelican Publishing Company, 1972. Pp. xviii, 214. Illustrations. Bibliography. Index. \$8.95.)

Originally published in French under the poetic title *La Poursuite des Aigles*, this book is an English translation of the 1950 edition, first issued by Le Cercle du Livre de France in Montreal, Canada. The book traces the lives of some of the Bonapartist exiles who either were forced out of their native country or chose to leave after the final defeat of Napoleon. Especially, Mrs. Delery concentrates on the activities of these former Bonapartist soldiers in Louisiana.

In fact the title of the book might be more accurate if the

phrase "in America" were changed to "in Louisiana," as this study actually adds very little to our knowledge of the Bonapartists who congregated in Philadelphia, Baltimore, Charleston, Demopolis (Alabama), or near Galveston.

This book, then, in no way supplants Reeves' *The Napoleonic Exiles in America* (1905) or Rosengarten's *French Colonists and Exiles in the United States* (1907) as surveys of the whole story of the Bonapartists in America after 1815. What it does, and quite admirably, is to add New Orleans to that list of centers of Bonapartist activity in America. That New Orleans attracted so many former soldiers of the *Grande Armee* and so many other prominent supporters of Napoleon — General Rigaud, General Lallemand, General Lefebvre-Desnouettes, General Clausel, Dr. Antommarchi (Napoleon's physician), Lakanal, and others — has never before been so fully recounted. Most of the distinguished men visited the Tremoulet Hotel, the unofficial headquarters of Napoleon's soldiers in New Orleans.

The author has made a very readable narrative out of the fragments of the story of the Louisiana "soldiers." And for Alabama historians the book provides an important supplement to the extant accounts of Alabama's Bonapartist exiles — of Demopolis and Mobile. What is still needed, however, is a thorough and systematic study of each important community of the French emigrants in the United States, a study which takes into account the wealth of newly-uncovered manuscripts and of published materials that have come to light since 1950.

Winston Smith
University of Alabama

Fletcher M. Green. *The Role of the Yankee in the Old South*. (Athens, Ga.: University of Georgia Press, 1972. Pp. 150. \$6.00.)

From his storehouse of knowledge about southern history, Fletcher Green has brought out a book of essays on *The Role of the Yankee in the Old South*. First delivered in 1968 at Mercer University as the Dorothy Blount Lamar Lectures in Southern History, Green's work is a valuable contribution to

that distinguished series of lectures and to southern history in general. The book has been late in publication, through no fault of his own, because the manuscript was lost in a luggage mishap when he was returning from a year as Harmsworth Professor of American History at Oxford University. Happily, he has rewritten it, the published series of lectures is now unbroken, and southern history has benefited.

Unlike many public lectures, Green's work is extremely well researched, and he presents a remarkable number of Yankees who made contributions to the life of the Old South. The Yankee role in southern education might be expected, but it is startling to discover the part Yankees played in the development of southern agriculture. Green also describes Yankees in government and politics, journalism, the theater, industry, and religion. In all these areas these transplanted Southerners had significant roles. Most, though by no means all these men and women accepted southern mores on the institution of slavery and took the southern side when secession came.

The work is detailed, and there are the inevitable typographical errors, as when "cotton snobs" turned out as "cotton slob," but the book makes interesting reading and should be a useful research tool for anyone studying the Old South.

Ralph B. Draughon, Jr.
University of Georgia

Peter Kolchin. *First Freedom: The Responses of Alabama's Blacks to Emancipation and Reconstruction*. (Westport, Connecticut: Greenwood Press, Inc., 1972. Pp. xxi, 215. \$10.00.)

First Freedom studies the post-war adjustments of Alabama blacks from 1865 to mid-1868, including the activities of the former antebellum free Negro and those of the former slave. The author, currently assistant professor of history at the University of Wisconsin at Madison, effectively argues that this was *the* formative period for reorganization of black social and economic institutions and that thereafter there were only variations in these patterns rather than any distinct innovations. For example, it was in these early years of Reconstruction that the basic outlines of sharecropping (which most

blacks preferred to a wage system) evolved, and as a result, the old slave quarters disappeared when laborers scattered over the plantations to live in individual shacks. In this period, too, separate black churches were organized with black ministers who were quickly regarded as black community leaders. Such restructuring of institutions was a response to the abolition of slavery rather than a legacy of the brief supremacy of the Republican party in the state, which did not begin until 1868.

In these early post-war years there were important changes not only in black institutions but also in the personality of the black population itself. Immediately after the end of the war many Alabama blacks demonstrated their freedom by doing no more than what slavery had expressly prevented them from doing — they walked away from their plantation home, usually into a city. As they grew more accustomed to emancipation, their timidity gave way to increasing independence and self-assertiveness in matters of labor contracts, education, religion, and politics. Most important, by the time of the inauguration of the Republican administration of William H. Smith in July, 1868, an articulate and aggressive group of black leaders had developed to do battle with scalawags and carpetbaggers in the Republican party. This image of post-war Alabama blacks and their leaders portraying them as men able to cope with the new world created by emancipation, strongly contradicts the stereotype of the docile, lazy, easily-led Sambo.

Professor Kolchin has reviewed virtually all possible primary source materials for this study. The footnotes, which alas are at the end of each chapter, contain an important historical dialogue on traditional and revisionist ideas on Alabama and national Reconstruction. However, some warnings to the uninitiated should be included in the references to a number of questionable secondary sources which are cited, so as to separate those studies that are reliable and scholarly from the work of the amateur and the hack.

First Freedom is an analysis of black responses to the new condition of freedom, not a general study of Alabama blacks during Reconstruction. The book has considerable merit, and historians who have found a frustrating absence of readily

available biographical information on Alabama Republicans will welcome the excellent biographies of black leaders.

The book is thoroughly revisionist in its findings which are generally soundly documented. However, the accuracy of the picture presented might be heightened by judicious restraint on some of the sweeping generalizations in the account. For example, some planters doubtless did drive laborers off the plantations without compensation once the major work was done, but the author needs to pin down just how common this occurrence was, where was it most prevalent, and was it reported only by agents of the Freedmen's Bureau. The reader is left with the impression that unscrupulous planters outnumbered decent ones, and the author needs to clarify whether or not this impression is indeed fact. More caution in this and other generalizations not only would result in a more accurate picture of Reconstruction in Alabama but also would prevent revisionist historians from falling off the other extreme from the traditionalists.

One addition to the manuscript would be helpful. In view of the continual disagreement over just how many blacks served in the Constitutional Convention of 1867 and in the Alabama General Assembly during Reconstruction, an appendix listing names of these men and the source from which the author identified them as "black" would go a long way toward settling the argument.

Overall, the volume is a valuable contribution to our understanding of Alabama Reconstruction and hopefully it will encourage other studies in this period.

Sarah Woolfolk Wiggins
University of Alabama

David Edwin Harrell, Jr. *White Sects and Black Men in the Recent South*. (Nashville, Tennessee: Vanderbilt University Press. 1971. Pp. xx, 161. \$6.50.)

During the civil rights movement of the early 1960s clergy-men North and South belatedly awakened to the fact that the church had a role to play in moderating social and racial con-

flict between Americans and that perhaps it was appropriate for professional practitioners of religion to shed their ostensibly other-worldly garb for the somewhat chafing garments of social reform. Hundreds of clergymen poured into the South to act as agents of social change in the black quest for liberation. Delegates at religious conventions and convocations raised the issue of racial injustice and were in many cases successfully able to move the adoption of statements and resolutions placing their particular denomination on record as being opposed to inequality and injustice. Generally speaking the more concerned a church was about its national public image the less resistance to such resolutions and even towards the awarding of tangible material aid was to be found in its membership.

The various established denominations with roots in the South moved in similar directions as did their Northern counterparts albeit many times in a more moderate and leisurely fashion. Blatant discrimination and prejudice against blacks was no longer considered proper Christian behavior even though overt racism tended to be replaced by a covert variety just as virulent. Relieving themselves verbally of their heavy burden of sin and guilt, churches heaved a huge sigh of relief as they emerged purified of racial iniquity into the sunlight of tolerance and understanding. But in their eyes and in the eyes of the national mass media some of their churchly brethren were still lax. Moral condemnation was heaped on the heads of the multitudinous sects and cults flourishing in the South — the so-called “red-neck” churches — for their refusal to partake of the therapeutic catharsis of hand-wringing and lamentations over racial sins committed.

Professor Harrell is one of the few social scientists in the United States who has devoted his research efforts towards providing a balanced, sympathetic analysis of the past history and present activities of the sects of the South. He approaches the history of such organizations as the Churches of Christ, Primitive Baptists, Cumberland Presbyterians and the various penecostal and holiness churches with a respect for their integrity and dignity many times lacking in the accounts of historians of the South let alone practitioners of mass media journalism. Harrell's book is small in number of pages but large in scope and crammed with historical insights.

The gist of Harrell's examination of the racial views and attitudes of Southern sects and denominations since World War II is that these views are "primarily related to class values rather than theological presuppositions" (page xvi). The Southern sect-and-cult configuration is overwhelmingly white lower and middle class in its makeup and in the more established churches reflects traditional white Southern racial views. But the most interesting aspect of the author's analysis is his finding that lower class sects often are and have been in the past quite maverick in their attitudes toward racial integration, refusing to subscribe to the segregationist mores of the region. Harrell points out that poor whites and blacks have lived in close association with relative harmony and even neighborliness and that these associations bred a more easy-going attitude toward the integration of their churches than that found among more upward mobile white Southerners.

The value of Professor Harrell's work is further enhanced by the detailed bibliographical essay included at the end of the text surveying the myraid and often fugitive publications of the sects and cults of the South.

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Atlas of Alabama. Neal G. Lineback, Director and Editor, and Charles T. Traylor, Cartographic Director. (University, Ala.: University of Alabama Press, 1973. Pp. x, 134. \$8.75.)

This is a highly readable, up-to-date, and informative geography of the State of Alabama. The attractive format consists of brief chapters dealing with the physical, cultural, social, and economic factors which go into making a full and rounded profile of the state. Brightly colored photographs, maps, and charts present the collected data in an appealing form which one can fairly easily understand.

The book begins with chapters on the geological and historical origins of the area of Alabama and traces the physical growth of the region over the ages and down into modern times. The growth of the territory and the young state, beginning approximately two centuries ago and proceeding to the

present time, is outlined graphically and brought into sharp focus. One sees the metamorphosis of a rural and agricultural economy into a predominantly urban and manufacturing economy.

The *Atlas of Alabama* contains a wealth of information, namely, current and little known but pertinent facts which would answer most questions posed by any layman, geography student, or businessman who is considering locating a plant or industry in Alabama. The book professes to be a "reference tool for students, teachers, businessmen, politicians, and planners" and I think it is surely that. An index would be a helpful addition in any future revised editions. Also, one error should be pointed out in the chapter on "Early Boundaries and Surveys" regarding the boundary lines of the Georgia and South Carolina claims and the Mississippi Territory.

The book contains a fair and objective account of the considerable achievements of the people of Alabama and the strengths and weaknesses of this geographical region — warts and all. It also contains seeds for the future planning and intelligent guardianship, conservation, and utilization of Alabama's potential, in terms of its abundant natural resources as well as in terms of its abundant human resources. Indeed one could say that this publishing effort presents us with a bright new yardstick for measuring modern-day Alabama.

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Reuben Davis. *Recollections of Mississippi and Mississippians*. (Rev. Ed., University and College Press of Mississippi, 1972. Pp. 456. \$8.95.)

The publishers are to be congratulated for reissuing this late 19th century memoir of a man whose public life in Mississippi spanned most of that century, and whose account gives the historian a discerning view of life in the "Old Southwest." Since Reuben Davis spent his childhood in North Alabama and since he moved to that part of Mississippi (the Prairie) which is an extension of Alabama's Black Belt, his recollections are

of interest to students of Alabama history, as well as to those of Mississippi. Besides, as James Street once pointed out, most Southern states seem to belong in pairs: Virginia and Maryland, the Carolinas, Kentucky and Tennessee, Georgia and (North) Florida, Arkansas and (North) Louisiana, Texas and Oklahoma. Mississippi and Alabama are very much alike except for one phenomenon: Birmingham.

Reuben Davis was a man of many parts. He began adult life "reading" medicine for two years in Monroe County, Mississippi, in a town now extinct near the upper Tombigbee. He practiced that profession for awhile in Russellville and Fayette, Alabama, married an Alabama girl, then read law and returned to Mississippi to open a legal practice. He soon became one of the leading lights of the Mississippi bar, became successively prosecuting attorney, judge, state legislator, U.S. Congressman on the eve of Secession, and finally, Confederate Congressman. As if that were not enough, he periodically donned military uniform, first in the Mississippi militia, then as colonel of the 2nd Mississippi Volunteers (Jefferson Davis led the 1st) in the Mexican War, and, finally, as brigadier general of Mississippi troops in the opening stages of the Civil War.

Davis' account of the then frontier settlements of Alabama and Mississippi is especially interesting compared with that of Joseph G. Baldwin's *Flush Times of Alabama and Mississippi* (also reissued, in paperback). Indeed, the two men met in DeKalb, Mississippi, and Davis tells who some of the real-life characters depicted in *Flush Times* were. Although Davis' memoirs are serious in intent, they shed corroborative light on some of Baldwin's lampoons: the character, life-style and habits of the pioneer settlers of the Old Southwest; the excitement afforded the public in the courtroom and on the hustings; the grotesqueries of militia musters and reviews; and the casual violence that could erupt even between friends. His observations were trenchant:

As a rule, the best cultivated intellects who thronged to this El Dorado were Whigs. The solid, industrious, and progressive men were Democrats.

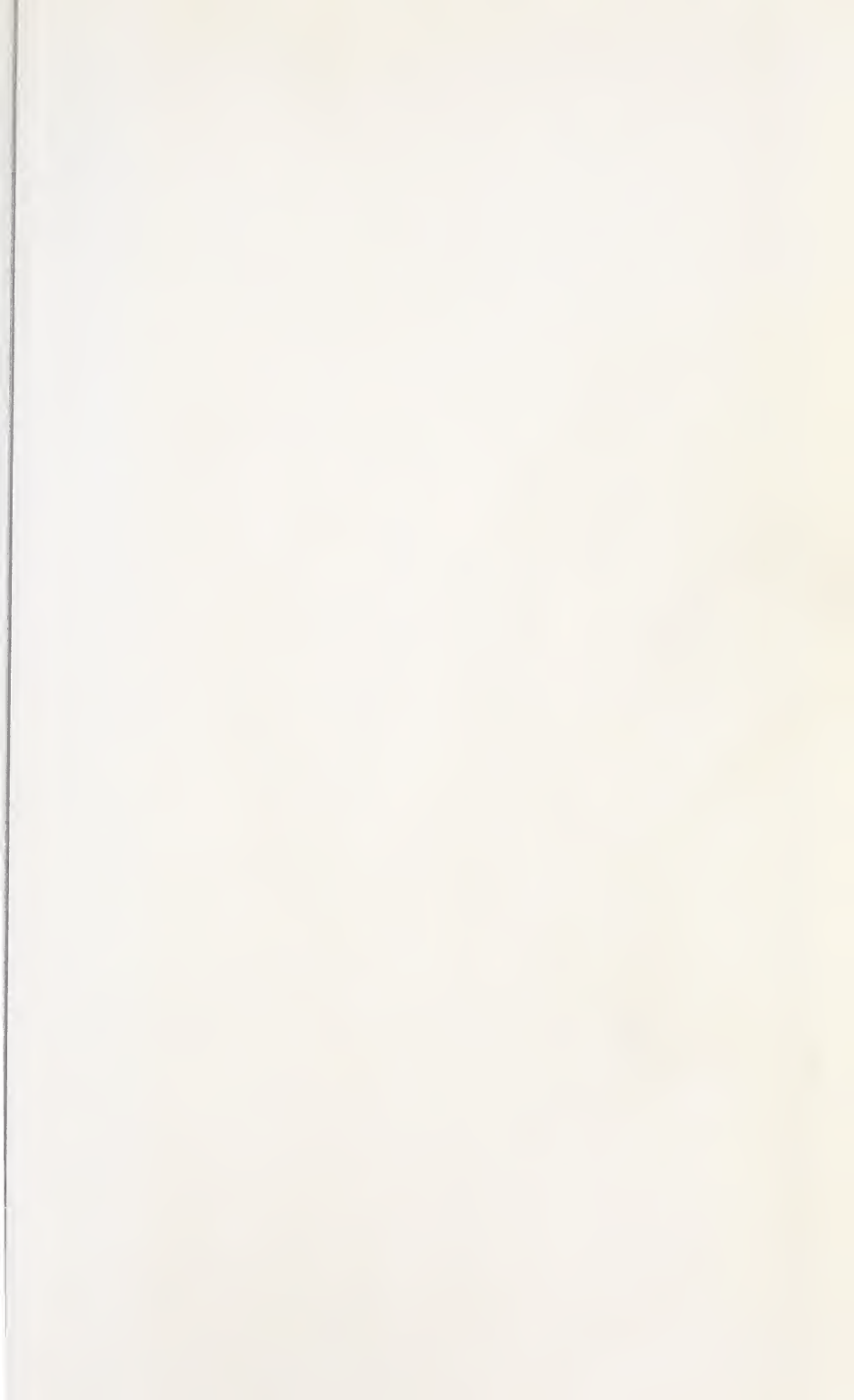
However, the accuracy of such generalizations may be tempered by his account in Chapter XXVII of the differences

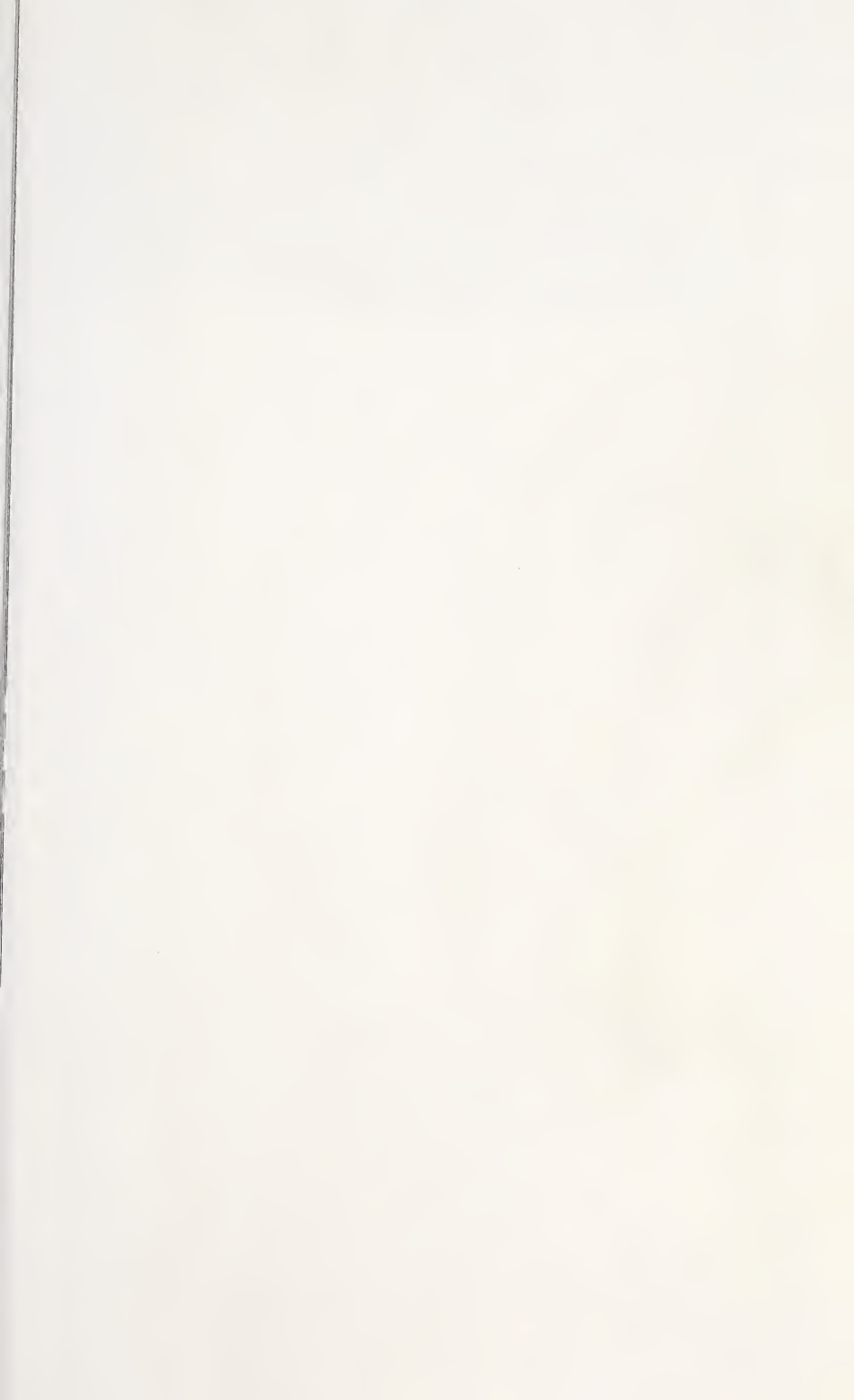
between the two major political parties, such as "The Democrats of today [1889] were the Federalists then."

Nonetheless, these and other errors which were doubtless due to age and failing memory do not impair the usefulness of this memoir, of what to the author was clearly a Golden Age, the Eighteen Thirties and Forties in the Cotton South. Students of Alabama and Mississippi history will find much of value herein: names and characterizations of those prominent on both state and national stages; the mode and spirit of those times; and, not least, an objective account of the events leading to secession. ("To say that the nomination and election of Lincoln caused the war is to make a mistake.")

Lt. Col. John H. Napier, III
Air War College

Blank Col. Napier





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